

Санкт-Петербургский государственный университет

АМАРАКООН РАДЖАПАКША ВАСАЛА МОХОТТИ МУДИЯНСЕЛАГЕ
Пуджика Буддини Амаракоон

Выпускная квалификационная работа

**Third-Party Mediation by the United Nations in Armed Conflicts: The Case of the
Yemen Conflict**
**Посредничество ООН в качестве третьей стороны в вооруженных конфликтах
(на примере конфликта в Йемене)**

Уровень образования: магистратура

Направление *41.04.05 - «Международные отношения»*

Основная образовательная программа *ВМ.5569.2019 «Международные отношения
(на английском языке)»*

Научный руководитель:
Денис Сергеевич Голубев
доцент,
Кафедра американских исследований

Рецензент:
Алексис Ставридис
научный сотрудник,
Афинский институт образования и исследований

Санкт-Петербург
2021

Abstract

The majority of the current global conflicts are related to the domestic political, territorial and ethnic rivalries. They are intrastate in nature that evolves as civil wars and armed conflicts. In the Gulf region, it is significant that the rate of armed conflicts surged with the advent of Arab Spring since 2011. The entailed diffusion of armed conflicts across the borders to the nearby and beyond regions and then to the international level is a profound issue today. The Yemen conflict is such a severe intrastate armed conflict where it presents a substantial mediation involvement of the United Nations upon the powers and procedures vested on it. Accordingly, this study sets out as an evaluation of the United Nations Mediation mechanism in the Yemen conflict amidst the challenges and constraints it confronts. Ultimately it reveals how far those implications can be adapted for effective conflict mediation. This practical aspect of the mediation process of the UN in Yemen is evaluated in the research based on the concepts of armed conflict mediation. Then through a critical factual analysis of the Yemen conflict, it derives the applicability and the appropriateness of mediation efforts and approaches by the United Nations and as well as the other international organizations in general.

Keywords: United Nations, Mediation, Armed Conflicts, International Organizations, Yemen

Table of Contents

List of Abbreviations	1
Introduction	2
Background of the study.....	2
Problem Statement.....	4
Research objectives and Research tasks	4
Literature Review	5
Overview of Primary Sources.....	11
Significance of the Study.....	14
Methodology.....	15
Scope and the limitations of the study.....	16
Chapter I-Theoretical framework	17
1.1 Definitions of the concepts of third party mediation.....	17
1.2 Third-Party Mediation process	22
1.2.1 Features of the process of mediation:	22
1.2.2 Determinants of Mediators' efforts and approaches:	26
1.2.3 Styles of mediation:	27
1.2.4 Functions of the mediation process:	28
1.3 Strengths and weaknesses of third party mediation process.....	29
1.4 Factors of effectiveness of mediation	30
1.5 Mediation concepts related to UN and other IGOs or NGOs.....	40
Chapter II- The problems of effectiveness, challenges and constraints of UN mediation in armed conflicts: the case study of the Yemen conflict.....	49
2.1 Review of the onset and dynamics of the Yemen conflict and its mediation process by the UN	49
2.2 Analyzing successes, failures and blind spots of the UN mediation actions and its outcomes in the Yemen conflict.....	58
2.3 Challenges and constraints of the UN mediation process in Yemen.....	66

Chapter III- Assessing the Appropriateness of the UN and Other IGOs in Armed Conflict	
Mediation: the Case of Yemen and Beyond.....	79
3.1 Critical aspects of United Nations, and other international organizations’ mechanisms of mediation in armed conflicts	79
3.2 Implications of challenges and constraints of mediation by the UN and other international organizations.....	82
3.3 Comparing the United Nations and regional international organizations as mediators in armed conflicts.	89
Conclusion.....	94
Bibliography	98
Secondary Sources:	98
Primary Sources:	104

List of Abbreviations

<i>Abbreviation</i>	<i>Explanation</i>
COVID -19	Coronavirus Disease of 2019
DDR	Disarmament, Demobilization and Reintegration
EU	European Union
GCC	Gulf Cooperation Council
ICRC	International Committee of Red Cross
IGO	Inter-Governmental Organization
LAS	League of Arab States
MENARO	The Middle East and North Africa Regional Office
NDC	National Dialogue Conference
NGO	Non-Government Organizations
OSESGY	Special Envoy of the Secretary-General for Yemen
P5	Permanent five members
PNPA	Peace and National Partnership Agreement
R2P	Responsibility to Protect
RCC	Redeployment Coordination Committee
SIPRI	Stockholm International Peace Research Institute
STC	Southern Transitional Council
TOD	Track One Diplomacy
UAE	United Arab Emirates
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund
UNMHA	United Nations Mission to Support the Hudaydah Agreement
UNSC	United Nations Security Council
US	United States
WFP	World Food Programme
WHO	World Health Organization

Introduction

Background of the study

Over centuries, conflicts have been inevitable in human civilizations. In the aftermath of World War II, the United Nations laid the foundation for a world organization in 1945 giving hope to the world community on the importance of international peace and security. From then till the cold war period and up to the contemporary period various conflicts were arising at the local, regional and global level whereas the major civil wars were almost tripled while increasing the number of casualties by six folds in the decade between 2011-2020 and it needs to give an important concern on the role that UN is playing on this. With the decolonization by the 1960s, those newly independent countries from former colonial powers found it hard to carry out their administration control over their territory with ethnic divisions and later on with the cold war ideologies, conflicts raised with power-sharing, human rights issues and resource distribution. Being the only supranational organization at the global level, that represents the international community, the United Nations, as per the agreed norms and principles which are mentioned in its preamble and as well as in its preceding articles is mediating these conflicts and making efforts to confront these challenges through their process of settling disputes. However, there are various constraints and challenges that the UN faces as an international organization in its conflict mediation process.

United Nations usually decides to mediate a conflict in a state when a particular crisis is spreading on a transnational basis threatening to world peace in accordance with the charter of the UN (Article 33: The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.)¹ Along with the uprising of Arab spring uprising, in 2011, Yemen became one of the countries which faced the consequences in the form of a civil war, which is basically a power struggle between local groups and the government. This has been extended into the international dimension where several rival foreign powers are directly involved in this conflict.

¹ UN charter, Chapter VI, Article 33, URL : <https://www.un.org/en/sections/un-charter/un-charter-full-text/>[Accessed Date: 28 July 2020]

Accordingly, a brief recap of the situation in Yemen is as follows: As a result of the failure of the political transition which is supposed to bring stability in Yemen with the uprising, the long term presidency of Ali Abdullah Saleh shifted to the vice president Abdrabbuh Mansour Hadi, in 2011. President Hadi's period was full of chaos with attacks of the separatist movement in the south and Jihadists along with corruption and poverty. The Houthi movement (known formally as Ansar Allah), Yemen's Zaidi Shia Muslim minority, a main party to the conflict, rebelled against the former presidency (Saleh) and during the current presidency (Hadi) they took control over the Saada province, and the capital Sanaa by the late 2014 and early 2015. The Houthis and the security forces loyal to Saleh who was on a mission to take control over the entire country, made president Hadi flee abroad in 2015. This rebel group is believed to be backed by Shia power Iran whereas Saudi Arabia and eight other Sunni Arab states began to make air raids aiming to defeat Houthis and trying to restore the Hadi's government with logistical and intelligence support from the US, UK and France.² This has turned into a humanitarian crisis with more than 75% of the population being at risk of starvation. However, by July 2019 a key ally of Saudi Arabia, UAE decided to withdraw its forces from Yemen. In August, fights erupted in the south between Saudi-backed government forces and the Southern Transitional Council (STC) and Saudi Arabia brokered a power-sharing deal. By January 2020 fights escalated, while in April STC declared self-rule in Aden, breaking the signed peace deal.

Considering the UN involvement, it has played the mediator role, basically by dealing with the political transition process and then focusing on the special envoy's mechanism in persuading conflicting parties to set back into a formal political process. These efforts are made in parallel with the Gulf Cooperation Council, EU, and other UN' and with other affiliated bodies of the UN. Some of the UN mediation actions can be highlighted as follows: In November 2011, the government and the opposition parties signed the UN-led Agreement on the Implementation Mechanism for the Transition Process in Yemen where a UN special envoy plays a significant role in the negotiation process. In April 2015, the conclusion of UN Resolution 2216 that required the resumption of the political process and withdrawal of Houthis from the government and security sector, recognizing Hadi's government as legitimate was processed by the UN via a special envoy in parallel to the initiatives of GCC. Following that resolution new rounds of peace talks continued to take place in Sweden. This led to the conclusion of the Stockholm agreement between the Houthi rebels and the

² BBC, Yemen Crisis: Why is there a war? URL: <https://www.bbc.com/news/world-middle-east-29319423/> [Date access: 18 June 2020]

Yemeni government which resulted in the cease-fire and exchange of prisoners along with the establishment of humanitarian corridors at three Red sea ports. This agreement is accompanied by Security Council Resolutions 2451 and 2452.

However, over a decade, since 2011, where the UN Secretary General's initiation of the UN special envoy mission has been dragging on till today with multiple ranges of mechanisms and processes. Multiple resolutions have been passed under the consent of the UN Security Council while several other multi-party agreements were reached among the disputant parties under the coordination of the UN special envoy mission. These agreements were focused on circumventing the uprisings on the ground where it was concerned about the military uprising, humanitarian aspects with the main objective of achieving political, social and economic stability on the Yemen ground. However, so far, the UN efforts have yielded mixed results with both successes and failures, while there is a wide range of criticisms with regards to its mediation process in both positive and negative manner.

Problem Statement

United Nations mediation role in armed conflicts can be reviewed through its engagement with the disputant parties in various perspectives under the context of an armed conflict. Its role in the opening stage for discussions, negotiations among the adversaries via its special envoy mechanism is visible in the Yemen conflict as its procedural actions. Accordingly, the research addresses to what extent the United Nations has been effective in its mediation process in the Yemen conflict in terms of challenges and constraints the UN faces.

Research objectives and Research tasks

The purpose of the study is to reveal the mediation process of the United Nations as a third party in armed conflict in terms of challenges and constraints that it confronts, with reference to the Yemen crisis. Accordingly, it investigates the implication of these indicators in understanding the role of UN mediation in armed conflicts in general.

Particularly, the study has the following Research tasks:

1. To provide a comprehensive review on the role of the United Nations in respect of the mechanism of mediation in armed conflicts

2. To analyze the extent to which the UN has been effective in confronting challenges and constraints in its mediation with reference to the case of Yemen conflict
3. To develop the knowledge base on the implication of these challenges and constraints that can be implied to measure whether the United Nations is the most appropriate third party in armed conflicts.

Literature Review

A substantial amount of work has been done devoted to the United Nations mediation in armed conflicts, whereas the case studies on the Yemen conflicts have been analyzed from various perspectives. Through this section, it conducts a comprehensive review of the scholarly contributions of the United Nations mediation mechanism along with the think tank organizations' reports on the Yemen conflict based on the UN intervention on conflict resolution. Accompanied with that, the integration of the concept of third party mediation in armed conflicts is also considered in the review. First, it will define the UN third party conflict mediation related to the armed conflicts in general and then it will further examine the views of scholars on the advent of the Yemen conflict amidst the UN activities on the ground.

Some authors have identified several means and methods of mediation from the UN and as well as by the other international organizations and individuals. It insists that the United Nations is a global organization that maintains credibility, cohesiveness and legitimacy and it assists to determine the organization's international status as a conflict mediator.³ Karns (2007), examines the relevance of the UN mechanism in conflict mediation in the twenty-first century due to the differences in the threats faced by the world community and the UN is perceived to be following its own system of actions to respond to those issues following the dynamics of the world ever since the cold war and along with the surge of civil wars.⁴

By giving an analytical account on the UN activities in the decade of Ban Ki-moon's tenure as the Secretary-General, Jesenský (2019) denotes that the role of the Secretary-General in its peace and conflict management efforts depends on the contextual factors, personal characteristics and the

³ Fretter, J. International organizations and conflict management: the United Nations and the mediation of international conflicts", in Bercovitch, J. (Ed.), *Studies in International Mediation*, Palgrave Macmillan, London, 2002, p104.

⁴ Mingst K and Karns M, & Lyon, A. *The United Nations and Conflict Management: Relevant or Irrelevant?*, Chapter 28, *The United Nations in the 21st century*. (5th ed.). Routledge. 2017, <https://doi.org/10.4324/9780429494307/> [Accessed Date: 10 July 2020] p.497

leadership style and it has been ignored by many scholars as they tend to frame his role to the international political environment. He portrays that Ban Ki-Moon was less adamant regarding the case of Yemen.⁵

Outlining the role played by the regional organization on conflict management in the advent of civil or intrastate conflicts, Diehl (2007) compares the principles, norms and structural aspects of the regional organizations with that of the United Nations that are applicable in the conflict management process. The paper highlights the varying levels of commitments of member states, level of legitimacy, and the relative normative actions that can be taken in the conflict mediation process.⁶ He claims that the action of enforcement by the regional organization where it partnered with an international organization in the form of carrying out missions under the global and regional distinctions are confusing.⁷

The degree of international attention for a conflict like in Yemen is defined by Guidero et al. (2019) in accordance with the international laws and norms. The work depicts that the global attention to a conflict can be drawn based on great power interest, structural inequalities in the global system, aspects of national security which is based on refugee flow and the types of military engagement. Here, the author highlights the fact that more international attention has been drawn by the Syrian conflict than the humanitarian crisis in Yemen, mainly because of the conflicting interests of great powers on the Syrian conflict at the Security Council and due to the large flow of refugees to outside regions.⁸

Nevertheless, the report of the international crisis group, emphasizes the necessity to look into the UN amidst the de-escalation of crises, especially concerned with the gulf region. There it is identified that they have common interests on the ground as the basis of these conflicts. Giving examples of several missions of UN engagement it mentions that the UN is ineffective in its missions. Here it refers to the Yemen conflict and it depicts that the UN has gained only a little momentum in late 2018 and much of its effort has been stumbled. By bringing us some crises (Congo, Venezuela, Sudan, Yemen and

⁵ Jesenský.M, The United Nations under Ban Ki-moon: Give Diplomacy a Chance, [ed.1], Palgrave Macmillan, 2019, DOI: [10.1007/978-3-030-12220-1](https://doi.org/10.1007/978-3-030-12220-1)-

⁶ Diehl P.F, New Roles for Regional Organizations, part V, Leashing the Dogs of War: Conflict Management in a Divided World, 2007, p.535

⁷ Ibid pp. 535-536

⁸ Guidero,Amanda and Hallward, Maia Carter, Global Responses to Conflict and Crisis in Syria and Yemen,Palgrave macmillan, 2019 DoI: [10.1007/978-3-030-02789-6/](https://doi.org/10.1007/978-3-030-02789-6/)

some issues in the Middle East) which need world attention, it depicts that the P5 members need to compromise for national political settlements on these grounds in order to make the UN a productive organization.⁹ Further, White et al. (2018) determine the UN tendency to be involved in preventive diplomacy rather than resolving a violent conflict through its special envoy mechanism, regional office, peacebuilding commission or the department of political affairs and further the backing of the Security Council is emphasized. This work describes the preventive diplomacy in the UN agenda for peace while asserting that the causes and effects of UN conflict prevention are difficult to assess.¹⁰

Accordingly, the reports of the international crisis group give a chronological account of the Yemen conflict where it depicts a situational analysis by describing the acts of main disputant parties to the conflict- Houthi group, Saudi led coalition and the interim government of Yemen. By recognizing the conflict as a regional one, where the roots lie in the issues of political transition accompanied with the 2011 popular uprising with the Arab spring, it depicts that the country is dragged into a civil war with the involvement of foreign powers.¹¹ However, it has been identified the process of mediation following the phases of mediation namely:2004-2009-Six rounds of Saada war,2011-2015-Arab spring and the Saudi-led intervention along with the UN, EU and GCC council negotiation effort and then since 2015 internationalization and the fragmentation of the conflict, which mediated by the UN.¹²

The structure of third party intervention in the Yemen conflict is examined by Owsik (2014) through a conceptual framework based on the characteristics and patterns of third-party intervention throughout the dispute. It has identified that multiple parties such as the League of Arab States (LAS), Saudi Arabia (At the initial stage in the 1970s), and Kuwait negotiations provided the groundwork for merging the separate Yemeni states. Throughout the paper, he analyzes the repeated mediation efforts by highlighting the interdependence of conflict management efforts. In that sense, the author has

⁹ ICG, Seven Opportunities for the UN in 2019-2020, Special Briefing Report No: 02, Global, International Crisis Group, 12 September 2019, URL: <https://www.crisisgroup.org/global/002-seven-opportunities-un-2019-2020> [Accessed Date: 20 July 2020]

¹⁰ White P.B, Cunningham D.E, Beardsley K, Where, when, and how does the UN work to prevent civil war in self-determination disputes?. Journal of Peace Research. 2018, Vol. 55(3). DOI: 10.1177/0022343317744826

¹¹ ICG, Rethinking Peace in Yemen, Report , No:216 , Middle East & North Africa, International Crisis Group, 2 July 2020,URL: <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/216-rethinking-peace-yemen>[Accessed Date: 10 July 2020]

¹² Palik.J, Rustad S.A, Mediation in the Yemeni Civil War: Actors, outcomes, and lessons learned, Conflict Trends 05, Peace Research Institute Oslo (PRIO), May 2019, URL: <https://mideast.prio.org/utility/DownloadFile.ashx?id=2&type=publicationfile> [Accessed Date: 29 April 2021] p.02

several propositions in terms of third party involvement in a conflict. This includes the conceptual assumptions such as numerous third parties can intervene in one case; third parties have a variety of intervention strategies which can be arbitration, mediation, cease-fire call or peace operations; interrelated information pass between one another in the third-party intervention-one third party who attempted to intervene inform about their proceedings and made incorporations with the earlier mechanisms in this process.¹³

The Yemen transition process has been described in many works by analysing the initiatives taken by the UN special envoys who were at the office. Lackner (2018) explores the efforts of the transition process conducted in Yemen by the United Nations under the Special envoy-Benomar. As per the author primarily, the Gulf Cooperation Council (GCC) has inaugurated the formal transition process. The UN efforts by connecting the civil society on the Yemeni grounds by including women, children, youth and southerners in the National Development Council has been appreciated. But the author has provided a more inquisitive attitude here mentioning that the Special envoy was unable to keep being unbiased in his actions.¹⁴ In contrast to that, Mancini et al (2016) in their work of Lost in transition, provides a more appreciative account of Benomar's actions depicting that he is one of the most favourable envoys to the Yemen ground. There he depicted it with a much more positive stance, by analyzing the period where the special envoy Benomar has been involved in the conflict. Benomar's mission was characterized as a 'soft intervention' where it has been dignified into three significant reasons: one is the liberal interpretation of the UN role as a good office; second, early action and third creating space for dialogue.¹⁵ Here it is noteworthy how two different authors see the same mediator according to their viewpoints.

However, mainly emphasizing the transition process, the article of Zyck (2014) maintains that the process is driven through the initiatives of the Gulf Cooperation Council (GCC) that is led by the interim government of Yemen. The author depicts that this process has been influenced further by the involvement of several other countries and institutions, which includes the United States and Saudi

¹³ Owsiak A.P and Frazier D.V, The Conflict Management Efforts of Allies in Interstate Disputes, Foreign Policy Analysis , July 2014, Vol. 10, No. 3,Oxford University Press, 2014 July URL: <https://www.jstor.org/stable/24910831>. [Accessed Date: 15 February 2021] pp. 243-264.

¹⁴ Lackner. H, Day S. W, Brehony .N, 2020, Global, Regional, and Local Dynamics in the Yemen Crisis, Palgrave Macmillan,2020. DOI: 10.1007/978-3-030-35578-4, XXXI, 321 p.

¹⁵ Mancini, F., & Vericat, J. Lost in Transition: UN Mediation in Libya, Syria, and Yemen. International Peace Institute. 2016, pp. 5-13, URL: <http://www.jstor.org/stable/resrep09641.6> [Accessed Date: 10 January 2021]

Arabia. The author perceives that this transition in Yemen as a global, regional, and national actors collaboration rather than accrediting it only as a measure of the UN.¹⁶

Investigating the role of the UN by taking the case of the Peaceful Southern Movement in Yemen (Hirak) as an example for non-violent self-determination movements. It has been perceived as a way to gain the support of the international demand, with a diplomatic and right based solution. The study determines that the role of the UN has been strengthened in the international system.¹⁷ In addition to that, the research based on the mediation process of local tribes in Yemen depicted that this process has been a success in prisoner's exchange programs. The author stresses out the fact that it should be a mediation method which is supposed to be informal and that should go in parallel with the mediation mission of the UN Special envoy and the author insists that this tribal mediation should be steered away from the interference of mediation processes conducted by the international organizations.¹⁸

The means of mediation mechanisms conducted by the UN in the Yemen conflict is scrutinized by Salisbury (2018) where he has identified the changing dynamics of the conflict with the presence of proxy parties and issues of Yemen territorial integrity. There he depicted that the failure of the UN power-sharing agreement is caused due the UN special envoy's inability to address the complex nature of the conflict and the UN has been criticized for being in the false assumption that parties might resort to the agreed political framework set out by the GCC. However, the paper has put more weight on the role of regional players and other extra-regional players despite the UN efforts in the conflict. The UAE intervention and the support of the GCC are evaluated more here.¹⁹ Similarly, Coning et al.(2019) proclaim that in the pragmatic era of the twentieth century, UN peace operations need to be adaptive in the current multipolar world, while identifying the changing geopolitical interests. The authors assume that the UN peace operations through the Secretary General's good office are not

¹⁶ Zyck S.A, Mediating Transition in Yemen: Achievements and Lessons, International Peace Institute (IPI), 2014 October, URL: <https://www.ipinst.org/wpcontent/uploads/publications/ipiepubmediatingtransition.pdf>, [Accessed Date: 05 February 2021], 20 p.

¹⁷ Sändig.J, Granzow.T, Aligning with the UN: Nonviolent Self-Determination Movements in the Global South, *Journal of Global Security Studies*, Volume 3, Issue 3, July 2018, URL: <https://doi.org/10.1093/jogss/ogy019>, [Accessed Date: 12 April 2021] pp. 322–338

¹⁸ Al-Dawsari, N, Peacebuilding In The Time Of War: Tribal Cease-Fire & De-Escalation Mechanisms In Yemen, The Middle East Institute, April 2021, URL: <https://www.mei.edu/sites/default/files/202104/Peacebuilding%20in%20the%20Time%20of%20War.pdf> [Accessed Date: 26 April 2021]

¹⁹ Salisbury.P, Yemen's Southern Powder Keg, Middle East and North Africa Programme, Chatham House, The Royal institute of International Affairs, Research paper, 27 March 2018, URL: <https://www.chathamhouse.org/sites/default/files/publications/research/2018-03-27-yemen-southern-powder-keg-salisbury-final.pdf> [Accessed Date: 12 March 2021] 34 p.

much applicable to attain politically driven solutions.²⁰ But with a comparative assessment of the UN political engagements over eras. In this work, the author, Adam Day brings four key elements for successful use of the good office. Namely: “(1) in-depth understanding of the conflict based on sustained contact and relationships on the ground; (2) timing of the intervention; (3) leverage over the key conflict actors; and (4) credibility of the mediator.”²¹

Asseburg et al (2018) examined the reasons for the resistance of the Yemen conflict amidst the UN mediation efforts. It has been recognized that the UN is trying to carry out its negotiations under the difficult condition where there is a powerful alliance between multiple parties within the conflict which changes the balance of the conflict continuously. He criticized the support from the major regional powers to the several parties within the conflict and claims that it hinders the legal support through a resolution. Further, the author insists that the UN impartiality in mediation is constrained by the offset of legitimacy via the Security Council- where it has aligned to a one-party in the conflict.²²

The work of Ratner (1995) emphasizes on the UN peacekeeping mechanism has gained considerable success while there are shortcomings in UN passive mediation efforts. By criticizing chapters VI and VII of the UN charter, the author dignifies that, especially the Article 25, 33, 34 constraints and limits the UN conflict resolution to the framework controlled under the Security Council. Further, he noted that the unresolved conflicts need to go beyond the recommendations of the Security Council.²³

Nevertheless, Guidero et al (2019), discussed the attention given by the UN and its affiliated bodies to the Yemen conflict and the study derives the fact that more attention has been given to the humanitarian crisis on the ground rather than the political side of the conflict.²⁴ Added to that, it pinpoints that, for peacebuilding efforts in Yemen, it is necessary to address the issues of livelihood insecurities. The analysis of Sowers et al (2021) focuses on the risk associated with peacebuilding

²⁰ Coning, C.D and Peter, M, United Nations Peace Operations in a Changing global order, Palgrave Macmillan, 2019, DOI: [10.1007/978-3-319-99106-1](https://doi.org/10.1007/978-3-319-99106-1), --XXV, 334 p.

²¹ Ibid, p.15

²² Asseburg, M, Lacher, W and Transfeld, M, Mission Impossible? UN Mediation in Libya, Syria and Yemen, SWP Research Paper 8, German Institute for International and Security, 2018 October.

²³ Ratner, S.R, Image and Reality in the UN's Peaceful Settlement of Disputes, *European Journal of International Law*, Volume 6, Issue 3, 1995, URL: <https://academic.oup.com/ejil/article/6/3/426/359111>, [Accessed Date: 29 October 2020], pp.426-444

²⁴ Guidero, A, Hallward M.C, Global Responses to Conflict and Crisis in Syria and Yemen, Palgrave Pivot, 2019, DOI: [10.1007/978-3-030-02789-6](https://doi.org/10.1007/978-3-030-02789-6) - XIII, 118 p

when the infrastructure and the natural environment resources are at a stake. It shows how humanitarian organizations on the ground cope up with a limited resource pool in facilitating their staff and under competing pressures such as blockades of ports, airports amidst wide humanitarian suffering.²⁵

Laipson (2015) analyses the aspects of conflict-resolution efforts of the United Nations (UN) in Yemen, which is considered as one of the hardest conflict resolution processes. The work highlights the prospect of international peacekeepers having a negotiated settlement is distant from the fragile UN process. Here the author defines that the UN has not achieved considerable success because of its adherence to the sovereign state system and due to the high influence of the regional actors and regional organizations.²⁶

Accordingly, the drawbacks of the mediation process have been identified to some extent, and this research will contribute more to the scholarly base in terms of challenges and constraints that the UN is facing in its mediation process while evaluating how the implication of these challenges and constraints can be implied in evaluating the UN general mediation mechanism in armed conflicts. Further, it explores how far the recognized drawbacks in the UN mediation process and as well as the identified recommendations can be tallied with these challenges and constraints. To that end, it will be assessed whether the UN is one of the ideal international conflict mediators through this Yemen conflict case analysis.

Overview of Primary Sources

The United Nations charter has identified mediation as the effective way to settle both inter and intrastate conflicts and it is further described in *The United Nations Handbook on the Peaceful Settlement of Disputes between States* (1992) and in the report of the Secretary-General on enhancing mediation and its support activities (S/2009/189)²⁷ where it has been updated simultaneously to the changing nature of conflicts. The guidance for effective mediation which formed under the request of the General Assembly and with the lead of the Secretary-General focused on resources for mediators;

²⁵ Sowers.J, Weinthal.E, Humanitarian challenges and the targeting of civilian infrastructure in the Yemen war, *International Affairs*, Vol. 97, Issue 1, January 2021, URL: <https://doi.org/10.1093/ia/iaa166> [Accessed Date: 8 May 2021], pp.157–177

²⁶ Laipson.E, U.N. Peacemakers Wind up tough year with a flurry of Progress, *World Politics Review* (Selective Content), 22 December 2015, p1-1. 1p

²⁷ UN, United Nations Guidance for Effective Mediation, United Nations, New York, September 2012,

actors who are supporting in mediation and potential limits of the mediation process. Several key elements have been identified in the order it addresses the above issues in mediation, which includes: impartiality, consent of the parties, national and international law, preparedness, quality of peace agreement etc.²⁸

The Secretary General's report under the resolution 70/304 of the General Assembly concentrates on the means of United Nations system coordination towards supporting their activities of mediation at different levels.²⁹ Identifying mediation as an important tool, the necessity of launching initiatives in enhancing mediation capacity is emphasized over the three pillars of peace and security, development and human rights.³⁰ Amidst the severity, internationalization and regionalization of conflicts, it has identified the repercussions of it such as: "State fragility, the blurring of lines among political, criminal and ideological interests, as exemplified by the emergence of complex economies of conflict, and the unclear objectives of increasingly fragmented armed groups" as multiple ranges of challenges for the UN mediation.³¹ Peace agreements are only the first step of the peace process and the Security Council cooperation and convergence is expected in implementing them.³² The UN Security Council's positive response to the Yemen conflict 2011-2014 is noteworthy.³³

The UN mediation process is a political process where the Secretary General's use of good office, special envoy mechanism as his representative as effective means of conflict prevention while it has recognized the necessity of addressing the gender parity in appointing representatives while conducting the missions with UN-affiliated agencies, other regional and international organizations through strategic cooperation.³⁴ The process is driven through helping the parties to agree on mutually acceptable arrangements, through especially power-sharing agreements, designing the mediation dialogue process via the Support Unit of the Department of Political Affairs, department of peacekeeping and operation, and technical support through specialized units of the Secretary-General.³⁵

²⁸ Ibid

²⁹ UN, United Nations Activities in Support of Mediation-Report of Secretary General, A/72/115, Mediation Support Unit, Department of Political Affairs, United Nations. 2017 June ,p.1

³⁰ Ibid.p.4

³¹ Ibid.p.5

³² Ibid.p.6

³³ Ibid.p.10

³⁴ Ibid.pp.6-7

³⁵ Ibid.pp.10-13

In recent years, with the surge of mediation missions, the UN identified the necessity of more funding and it has received extra-budgetary funds as voluntary contributions from the Member States while in the case of Yemen, the World Bank Group has coordinated meetings through the monetary support to the UNDP, UNICEF and WHO as a form of securing community support. Prioritizing on strengthening the UN mediation capacities through the mediation support unit and conducting professional training via the department of political affairs to build the necessary expertise to confront the challenges.³⁶

Apart from that, United Nations Security Council reports have much more concentration on the political transition process in Yemen. The panel expert letter based on the Security Council resolution 2342(2017) brings about attention to the disintegration of the government and the influence of multiple actors in North-south parts of Yemen, including the existence of proxy forces and the terrorist groups who carry out military strikes against both the major parties to the conflict (Houthis, government and Saudi led coalition).³⁷ The report was made by using the satellite images of Yemen and using the inputs from the field visits of the experts. The report depicts the volatile nature of the conflict with dynamic changes on the Yemen ground by bringing the real evidence from the ground. The experts have concerned much more about the Houthi-Saleh alliance and condemn their actions as same as the Resolution 2216 (2015)³⁸ and insist that the economic downturn has been further aggravated due to their unauthorized activities like tax collection and asset seizing.³⁹ Both the parties have been accused of their military engagement and other insurgent activities on the ground while insisting that it deteriorates the basic human rights of the Yemeni people.⁴⁰ In support of these claims UN Security Council resolutions of 2011 mentioned the terrorist activities on the ground and the concerns on implementing mechanisms in accordance with the Gulf Cooperation Council initiatives while expressing its concern on human rights violation due to the mass loss of lives on the ground.⁴¹

³⁶ Ibid.pp.16-22

³⁷UNSC , Letter dated 26 January 2018 from the Panel of Experts on Yemen mandated by Security Council resolution 2342 (2017) addressed to the President of the Security Council , S/2018/68, United Nations Security Council,United Nations, 2018 January URL:<https://www.securitycouncilreport.org/undocuments/document/s201868.php>, [Accessed Date: 26 November 2020],p.2

³⁸ UNSC,2015, Resolution 2216 (2015) Adopted by the Security Council at its 7426th meeting, on 14 April 2015, S/RES/2216 (2015)

³⁹ UNSC,2018 January, Letter dated 26 January 2018 from the Panel of Experts on Yemen mandated by Security Council resolution 2342 (2017) addressed to the President of the Security Council , S/2018/68, United Nations Security Council, United Nations, URL:<https://www.securitycouncilreport.org/undocuments/document/s201868.php>, [Accessed Date: 26 November 2020],p.3

⁴⁰ Ibid,p.3

⁴¹ UNSC,2011, Resolution 2014 (2011) Adopted by the Security Council at its 6634th meeting, on 21 October 2011, S/RES/2014 (2011)

Resolution 2140 (2014) further commend the GCC initiatives and welcome the efforts of the political transition of Yemen ground.⁴²

The European Union's attention has been drawn towards humanitarian development on the ground. The case study of the report presented by the European Commission presented as a guidance package for human social development where it mainly addresses the need of establishing humanitarian assistance to the internally forced displaced persons in Yemen. It depicts the use of instruments of aligning with the World Bank, UNICEF, MENARO (the Middle East and North Africa Regional Office and other NGOs to provide humanitarian relief and conducting development programs, especially concentrated on the areas with severe escalation such as Marib and Taiz where major concern has been given to the children. The efforts of real-time fulfilment of financial necessities in cooperation with international and other private organizations through proper identification of the needed groups are depicted as a successfully integrated measure conducted on the Yemeni grounds by the EU commission as an international organization.⁴³

The World Bank report has identified the factors for the escalation of the conflict environment concerning the economic factors and for its further deterioration. It has identified the fragmentation within the six regions of Yemen leads to creating heightened competition among elites for the resources, while hindering them in working for the common good.⁴⁴It insists that the collective actions and the accountability of the government further hinder the social fragmentation of the country along with inefficient regional and policies.⁴⁵

Significance of the Study

The UN mediation mechanism in armed conflicts is quite visible in the Yemen conflict. Several research studies have investigated the UN intervention in the Yemen conflict whereas some other studies cover the mediation of the Gulf cooperation council, Saudi Arabia, the United States and several other European countries including the United Kingdom. Those studies mostly have denoted

⁴² UNSC, 2014, Resolution 2140 (2014) Adopted by the Security Council at its 7119th meeting, on 26 February 2014, S/RES/2140 (2014)

⁴³ European Commission, 2018, Supporting people through Crisis (SPAN): Case study –Yemen ,European Commission, International Cooperation and Development, Brussels

⁴⁴ World Bank, 2015 October, THE REPUBLIC OF YEMEN Unlocking the Potential for Economic Growth A Country Economic Memorandum, Report No. 102151-YE, Middle East and North Africa Region Macroeconomics and Fiscal Management Global Practice, World Bank,p.23

⁴⁵ Ibid,p.29

the individual or sometimes a biased viewpoint on the UN actions. There is some lacuna in analysing the mediation process based on the assumptions of theories of mediation and concerning the challenges and constraints that the UN faces as an international organization. Hence, through this research, it intends to give an insight into the UN mediation mechanism in general through a balanced analysis while identifying the challenges and constraints that the UN faces and then developing a theoretical and knowledge base on conflict mediation by international organizations in general, and to measure the applicability of their involvement in internationalized intrastate conflicts.

Methodology

Data collection:

The data has been collected by the United Nations documents and also from the documents of its affiliated agencies related to conflict management and the Yemen mission. These documents include: the resolutions of the UN Security Council, joint declarations, and statements of the UN special envoy to Yemen, policy documents and agreements between the parties to the dispute etc. Also, the reports, discussions and articles of Conflict studies' think tank organizations such as International Crisis Group, International Peace Institute, Middle East Institute and Stockholm International Peace Research Institute. The articles of academic journals such as EBSCO, JSTOR, Oxford Journals, SAGE Journals, Springer, Taylor & Francis, Wiley Online etc.

Data analysis:

The research which is a qualitative study is based on the case study of the Yemen conflict where analysis of the empirical data has been drawing upon the structural and conceptual nature of the conflict to portray the depth of it. Accordingly, documents are reviewed to reveal the onset of the Yemen conflict and that of the UN mediation activities in relation to the conflict: The discourse analysis method has been used to investigate the role of the United Nations through the factors such as the mechanism of mediation and its procedural structure of mediation. Also, the same methodology is used to inspect the appropriateness of the United Nations as the third party mediator by the usage of a theoretical framework on conflict mediation through reports and articles. The factual account of the events during the period of 2011-present is carried out, focusing on the United Nations actions of mediation by using the event analysis method. Through this method, the structure and the sequence of the conflict events and that of the UN mediation efforts are reviewed to identify the context and

pattern of those events, by referring to the interviews, articles, news and discussions of the conflict-related think tank organizations.

Furthermore, since most of these documents of UN reports, agreements among disputant parties are created related to the context of the Yemen conflict, the particular status, time and the interests of each disputant parties are further analysed using the critical discourse analysis method. Here, by incorporating the definitions of the concepts of armed conflict and theoretical assumptions of mediation, which are drawn from the scholarly based articles from the academic journals, it tries to investigate whether the behaviour of actors in the conflict ground changes or they continue to practice the same rhetorical aspect of their behaviour amidst the UN mediation process of the Yemen conflict. Hence, the criteria of challenges and constraints that the UN faces in the mediation as a third party International organization is analysed through the intertextual mechanism by reviewing the UN reports and agreements among the parties to figure out the relationship in this phenomenon. Then the comparison approach has been used to compare the UN organizational mechanisms and that of the identified approaches taken so far by the UN in its mediation. Further comparative analysis on the structures and mechanism of UN mediation vis-à-vis the other international organizations such regional organizations' or Non-Governmental organizations' mediation efforts have been used to derive an empirical base into the research study.

Scope and the limitations of the study

The analysis of the parameters and the scope of studying the structural and conceptual nature of the conflict is limited in terms of time frame since the research considers the period only in between 2011-present. Furthermore when reviewing the events and the spread of the conflict in chronological manner, some incidents and some minor events are not taken into consideration. More weight is given to the incidents, actions, and procedures related to the United Nations involvement within the Yemen conflict.

The analysis of effectiveness of mediation covers a broad area with several perceptions, the study limited to the context where it basically researches the effectiveness of the mediation process based on challenges and constraints that the United Nations facing in its armed conflicts mediation.

Chapter I-Theoretical framework

1.1 Definitions of the concepts of third party mediation

Since the Post-Cold war era, Peace and conflict mediation has developed as a pragmatic tool in international diplomacy.⁴⁶ Conflicts have become an extensive element in international politics whereas it is prone to exist over a long period with recurrence. Those conflicts do not take place in an isolated format, instead, it impacts the security, economy, and social aspects of the actors. Sometimes the outbreak of severe violence affects outsider parties more than it does the adversary parties. Accordingly, one of the major concepts of an armed conflict has been perceived by the rationalists as an outcome of ‘inefficient bargaining failures’⁴⁷ and one that might not extend up to a war.⁴⁸ Similarly, mediated settlements have become more common after the period of World War II. Divergence in patterns of mediation is visible in the international arena whereas there is a higher intensity of mediation for the interstate conflicts during the period of 1945-1975 while it has shifted its focus more onto the civil wars since then. With the increasing number of mediating actors, involving international, regional and non-governmental organizations, the logic of decision making in the mediation process has also changed.⁴⁹

Nevertheless, mediation is defined as “the consensual, nonviolent, and nonbinding involvement of a third party in conflict management and resolution processes”⁵⁰ where the conflicting parties seek third party assistance as a mediator when they are in a difficult position to arrive into a negotiation. “Disputants seek the assistance of or accept an offer of help from, an individual, group, state or organization to settle their conflict or resolve their differences without resorting to physical violence or invoking the authority of the law”⁵¹ through a mediation process. So, it has been disclosed that a crisis that involves a mediation process is more likely to cease with an agreement rather than an unmediated one. Then it elevates the gauges of the effectiveness of this conflict resolution

⁴⁶ Lehti,M, The Era of Private Peacemakers :A New Dialogic Approach to Mediation, Rethinking Peace and Conflict Studies, Palgrave Macmillan,2019,DOI: 10.1007/978-3-319-91201-1, P.01

⁴⁷ Beardsley, K. The Mediation Dilemma: Mediation Dilemma, Cornell University Press, ProQuest Ebook Central, 2011, URL:<http://ebookcentral.proquest.com/lib/ed/detail.action?docID=3138270>, [Accessed Date: 25 March 2021] P.25,

⁴⁸ Ibid, P.26

⁴⁹ Wallenstein, P and Svensson, I, Talking peace: International mediation in armed conflicts, Journal of Peace Research, Vol. 51(2), 2014, DOI: 10.1177/0022343313512223, P.318

⁵⁰ Beardsley, Kyle. *Op-cit.* P.78

⁵¹ Bercovitch.J and Derouen.K J.R, , Mediation in Internationalized Ethnic Conflicts: Assessing the Determinants of a Successful Process, Armed Forces & Society, Journal of Peace research Vol. 30, No. 2, 2004,DOI: 10.1177/0095327X0403000202,p.153

mechanism.⁵² Several components are embedded in the concept of mediation namely: involvement of a third party with mutual consent; dependence on the non-violent tactic of the third parties; and lack of authority for the third parties to constitute binding resolutions⁵³. Basically, there are two procedural categories of third-party involvement in conflict management. Those categories include: legalistic-normative procedures (e.g. adjudication and arbitration) and voluntary procedures (e.g. mediation, conciliation, etc.)⁵⁴ Several criteria differentiate the mechanism of mediation from that of other third-party conflict management measures (i.e. arbitration and adjudication). These mechanisms involve legally binding solutions when issues are at stake, unlike mediation, the other mechanisms mostly imply discussions with party to the dispute without consulting other parties⁵⁵, while mediation is considered to be consensual.⁵⁶

To that end, mediation is an outstanding instrument that is active and does not require expensive resources. In this process, a third party offers non-binding assistance to reach a mutually acceptable agreement whereas the mediator's behaviour, identity, and resources have a direct impact on these procedures.⁵⁷ Specifically, the non-coercive nature of mediation, where "the mediator does not promise rewards, threaten of punishment, or deliver payments or goods to the antagonists,"⁵⁸ and in the polarized nature of an international conflict, mediation forms the platform to transform or to settle a dispute. Mediation is the form of a more informal way of third-party intervention where the roles include: facts finding, good office, or inquiring information to assist the parties. Through these roles, a mediator can either punish or reward the parties to the conflict to push them towards an agreement through means of communication and investigation of facts.⁵⁹ Since the process of mediation upholds

⁵² Wilkenfeld.,J, Young.K, Asal.V and Quinn.D, Mediating International Crises: Cross-National and Experimental Perspectives, The Journal of Conflict Resolution , June 2003, Vol. 47, No. 3, Sage Publications, Inc. DOI:10.1177/0022002703252365 pp.287-293

⁵³ Beardsley, K. The Mediation Dilemma: Mediation Dilemma, Cornell University Press, ProQuest Ebook Central, 2011, URL:<http://ebookcentral.proquest.com/lib/ed/detail.action?docID=3138270>, [Accessed Date: 25 March 2021],p.19

⁵⁴ Bercovitch, J, International Mediation, Journal of Peace Research, Special Issue on International Mediation, Vol. 28, No. 1, Sage Publications, Ltd , Feb., 1991, URL: <https://www.jstor.org/stable/424189>, [Accessed Date:27 April 2021], PP.3

⁵⁵ Beardsley.*op-cit.* p.19

⁵⁶ Both the disputants and the third parties believe that it will provide some net benefit.

⁵⁷ Ibid p. 153

⁵⁸ Beber, B, , International Mediation, Selection Effects, and the Question of Bias, Conflict Management and Peace Science , September 2012, Vol. 29, No. 4, , Sage Publications, Ltd. 2012 September URL: <https://www.jstor.org/stable/26275350>, [Accessed Date: 25 April 2021] P.400

⁵⁹ Bercovitch.J, Managing Internationalized Ethnic Conflict: Evaluating The Role And Relevance Of Mediation, World Affairs , Summer 2003, Vol. 166, No. 1 Summer 2003, Sage Publications, Inc, URL:<https://www.jstor.org/stable/20672677>, [Accessed Date: 25 February 2021] P.63

international norms and standards along with its adaptive nature, it is advantageous to the parties especially as they expect greater payoffs through this process.⁶⁰

In addition to that, third-party mediation involves a situation when two parties are in a difficult situation to compromise their demands. This gives temporary remedies in keeping up good relations among the parties.⁶¹ Reasons for the Third-party mediation include: the request by the disputant parties in seeking assistance to be involved in the conflict resolution process; when third party institutes possess the legal and constitutional mandate to involve in such armed disputes and; the fear of widespread violence.⁶² The role of the third-party in mediation is considered to be reflected via their task of information transmission, providing assistance and monitoring in policy implementation, and giving political cover. However, if a particular mediator does not possess the necessary capabilities to monitor and enforce an agreement or to punish the offending party, they will change the direction of their resource implementation elsewhere or into another immediate threat.⁶³

Peace Mediation in conflict management looks for a win-win situation between the disputant parties.⁶⁴ Accordingly, the contextual dimensions, resources, and techniques influence the role played by the mediator. The intensity of the conflict and the nature of hostilities, and the issues of the conflict are two main factors to understand the context on how mediation can be applied. The intensity of the conflict is determined by the casualty rate, level of hostility among the parties, strengths of the parties, and types of issues concerned along with the disputant's subjective behaviour based on emotions of hatred, revenge, or anger. There is a high chance of misinterpretation about the conflict intensity by the parties involved. However, if there is low conflict intensity, parties usually try to handle the situation on their own without a third party intrusion. When considering the nature of issues, evidently most of the core issues of international conflicts are a prolongation of civil wars that have been internationalized. The ground factor such as identity, ethnicity, and sovereignty drives these conflicts,

⁶⁰ Bercovitch. and Derouen. J.R,2004, *op-cit* pp. 153-154

⁶¹ Spies Y.K, Third-Party Diplomacy, Chapter 4,*The Diplomacy of Peace and Intercession, Global South Perspectives on Diplomacy*, Palgrave Macmillan, 2019 DOI: 10.1007/978-3-030-00530-6 ,p.110

⁶² Bercovitch.J, Third Parties in Conflict Management: The Structure and Conditions of Effective Mediation in International Relations, International Journal , Vol. 40, No. 4, Managing Conflict, Sage Publications, Ltd. on behalf of the Canadian International Council, Autumn, 1985 URL: <https://www.jstor.org/stable/40202320>, [Accessed Date: 27 April 2021],, p.739-740

⁶³ Beardsley.K and Lo.N, Third-Party Conflict Management and the Willingness to Make Concessions, Journal of Conflict Resolution, Vol. 58(2) 2014, DOI:10.1177/0022002712467932,p.368

⁶⁴ Lehti,M, The Era of Private Peacemakers :A New Dialogic Approach to Mediation, Rethinking Peace and Conflict Studies, Palgrave Macmillan,2019,DOI: 10.1007/978-3-319-91201-1pp.77-78

while the emotional fears, resentment, distrust, and deprivation intensify impedes mediated negotiations.⁶⁵

Accordingly, mediators need to recognize these underlying factors to build trust and confidence among the parties in their mediation process. It is advisable to develop a mediation process per the context of the conflict, for that to be more effective.⁶⁶ Four factors to determine the gauges of effective mediation: underlying causes in the conflict -the parties' perception on those issues on the parameters such as territory, security, sovereignty, and ideology etc. intensity level of the conflict- the humanitarian, material, or psychological costs incurred by the parties to the conflict in parallel to the mediation outcomes; the rank of the mediator-the personal characteristics and attributes of the mediator and the difference of mediator representation; the influence through the particular organizational attributes or resources (like UN regional or non-government organization); and the timing of mediation- mediation needs to take place at the most advantageous moment in a conflict life cycle.⁶⁷

Mediation in Intrastate Armed conflicts:

There is a long-term risk inherent in mediation in intrastate armed conflicts. Four reasons affect that: first the higher vulnerability to commitment problems with the possibility of breaking down the long term trust following the conflict⁶⁸; Second, the dependence between the governed and the governors which is required for a firm domestic rule is reduced by the external involvement in civil conflicts; Third, there is a higher possibility that 'third party can confer the political legitimacy on certain actors while the ability of others was threatening and hence mediation can make problems along with this fractured polity. Fourth, there will be a false pursuit of mediation, if the uprisings were dependent on the local requirements at the ground level environment in the battlefield and, if the actors can benefit from revitalizing nationalism.⁶⁹ When the disputants are not willing to uphold the military means in a high intensity-conflict, there is a higher probability of initiating the mediation. But if one party perceives a higher probability to be successful in military terms, they will not consider conflict

⁶⁵ Bercovitch. J, Theory and practice of international Mediation: selected Essays, ed.01, Taylor & Francis 2011, URL: <https://doi.org/10.4324/9780203831120> [Accessed Date: 25 February 2021], p.179

⁶⁶ Bercovitch. J, Managing Internationalized Ethnic Conflict: Evaluating The Role And Relevance Of Mediation, World Affairs , Summer 2003, Vol. 166, No. 1 Summer 2003, Sage Publications, Inc, URL: <https://www.jstor.org/stable/20672677>, [Accessed Date: 25 February 2021] P.63

⁶⁷ Ibid P.64

⁶⁸ Beardsley, K. The Mediation Dilemma: Mediation Dilemma, Cornell University Press, ProQuest Ebook Central, 2011, URL: <http://ebookcentral.proquest.com/lib/ed/detail.action?docID=3138270>, [Accessed Date: 25 March 2021], p.152

⁶⁹ Ibid,

intensity as costly. Then they might not resort to mediation. However, the preference or the demand of the disputants for mediation in an armed conflict is based on their expectations upon the mediator's ability and potentials that they perceived to be processed in making attractive settlements with reassurance of peace.⁷⁰

To that end, seven implications and conditions of mediations in armed conflicts that one needs to consider are as follows: First, the moderate use of mediation when there is a higher chance of failures in the implementation of agreements; Second, pre-awareness about the legitimate issues by the third parties- which is mainly affected in intrastate armed conflicts where a third party prefers to the one who is in power will weaken the domestic mutual dependence on power which leads to ensuring the good governance; Third, when there is a possibility that mediators can benefit from mediation other than achieving peace, the third party actors who are engaged in such mediation efforts needs to be attentive on that aspect. Fourth, in circumstances of difficulties in coordination, potential third-party mediators should pause their engagement in mediation. Fifth, it needs to note that use of leverage is not a pedigree of long term instability, but the improvising of that leverage over time leads to increase the negotiation liability; sixth, subtle involvement of a mediator is more likely to be successful in the long run; seventh, it is worth to resort into mediation when there is a severe status in the existing conflict and it is unlikely to be subsidized.⁷¹ So, by making constraints against violence and ensuring smoothing the flow of information and increasing the efficiency of bargaining, mediators can reduce the severity of conflicts. In addition, other incremental steps in achieving a comprehensive peace agreement include: designating the accountability for the illegal use of force and publicly criticizing the inflexible parties while trying to deploy the international and domestic stakeholders against those parties.⁷²

Accordingly, mediation can pause intense conflict situations while reducing the number of casualties on the battlefield through its facilitation of negotiations among the parties, creating a positive impact beyond a complete termination of a conflict. Two main factors affect the conflict intensity: the actor's failure in resorting to an efficient bargaining process, and then the presence of fewer external constraints on the use of violence.⁷³ When there is a higher versatility of the conflict, there is a higher

⁷⁰ Ibid PP.19-20

⁷¹ Ibid pp.183-191

⁷² Beardsley. K, Cunningham D.E, and White P.B, Mediation, Peacekeeping, and the Severity of Civil War, *Journal of Conflict Resolution*, Vol. 63(7), 2019, DOI:10.1177/0022002718817092, pp. 1686-687

⁷³ Ibid, pp. 1686-687

chance of more mediation strategies that can be employed.⁷⁴ In accordance with the structure of the conflict, disputants either resort to mediation if they perceive mediation allows them to improve their conditions in comparison to the costs of conflicts. Similarly, mediators also decide to involve themselves in a conflict if they perceive a possibility of making a difference and if the costs of mediation outweigh the benefits of agreements that can be reached among the parties.⁷⁵ Then, states may merely seek to limit the use of violence. Usually, mediators only try to influence communication between the disputants, rather than the potential agreement.⁷⁶ Also, the strategic structure of mediation determines the demand and supply of third-party mediation. Here, when disputants seek outside help, the actors consider the cost-benefit calculus of mediation and consequently, disputants either reject or accept mediation by the parties based on the introduction cost and benefits of mediation.⁷⁷

1.2 Third-Party Mediation process

1.2.1 Features of the process of mediation:

Mediation is non-coercive and a voluntary and an ad-hoc mechanism of conflict management. It provides grounds for transforming, downsizing or settling conflicts. Mediation consists of international norms that the actors are willing to uphold as they expect higher incentives from the mediation.⁷⁸ Accordingly, several tools that are employed by the mediators: First, interaction with the disputants in bargaining situation via a procedural framework (i.e. arranging floor for sessions related to negotiations, prioritizing issues, agenda drafting etc.); Second, determine facts, communicating and managing information to and among the disputant parties, providing ‘good office’; third, recommending concessions, moderate demands which are extreme, suggesting possible settlements with proposals that compromises while making adjustments upon to the expectations of disputant parties.⁷⁹

⁷⁴ Terris L.G and Maoz.Z, , Rational Mediation: A Theory and a Test, Journal of Peace Research, Vol. 42, No. 5, , Sage Publications, Ltd., September 2005 URL: <https://www.jstor.org/stable/30042369>, [Accessed Date; 20 April 2021] P.563

⁷⁵ Ibid P.564

⁷⁶ Owsiak A.P and Frazier D.V, The Conflict Management Efforts of Allies in Interstate Disputes, Foreign Policy Analysis , July 2014, Vol. 10, No. 3, Oxford University Press, 2014 July URL: <https://www.jstor.org/stable/24910831>, [Accessed Date: 15 February 2021], P.246

⁷⁷ Terris L.G and Maoz.Z .*op-cit*, P.564

⁷⁸ Bercovitch.J and Derouen.K J.R, , Mediation in Internationalized Ethnic Conflicts: Assessing the Determinants of a Successful Process, Armed Forces & Society, Journal of Peace research Vol. 30, No. 2, 2004, DOI: 10.1177/0095327X0403000202, pp153-154

⁷⁹ Beber, B, , International Mediation, Selection Effects, and the Question of Bias, Conflict Management and Peace Science , September 2012, Vol. 29, No. 4, , Sage Publications, Ltd. 2012 September URL: <https://www.jstor.org/stable/26275350>, [Accessed Date: 25 April 2021], P.401

Out of the three basic conflict management methods which include bargaining and negotiation, violence and coercion, the third party mediation is one of the peaceful methods of conflict management which involves individuals, state representatives or international institutions as a response to a call from the parties to the dispute or as a result of their own decision of intervention to the conflict resolution process. The peaceful means of conflict management occurs in the following circumstances: when the particular conflict is complex; when the party's attempts to their own conflict management has been turned into a deadlock situation; when the parties cannot tolerate the escalation of the conflict; and when the opponents are ready to cooperate by breaking the deadlock through communication.⁸⁰

The relationship between the third party mediators and the disputants has the following characteristics⁸¹:

- i. It is a voluntary relationship where third party mediators cannot direct the combatants but only can assist them;
- ii. Third parties enter into a dispute with the aim of changing, influencing or modifying the conflict situation;
- iii. It is a peaceful mean of conflict management where the disputants believe that such an outside party can help them in managing or resolving the conflict situation;
- iv. Third-party involvement changes the conflict dyad status into a triadic interaction; and
- v. The relationship persists on a temporary basis only.

Accordingly, third party mediators will play a role which ranges from passive role to an active role. These roles include several distinct variants: one is the role of factfinder- finding new issues at stake and the disputant's desire of conducting a conflict; leadership role- ensuring the proper communication among the disputant parties to prevent misinterpretation of information among the parties; the conciliator-brings the disputant parties together and; the role of the leader who tries to convince parties in conflict or pressure them to come into an agreement.⁸² The characteristics of the

⁸⁰ Bercovitch.J, Third Parties in Conflict Management: The Structure and Conditions of Effective Mediation in International Relations, International Journal , Vol. 40, No. 4, Managing Conflict, Sage Publications, Ltd. on behalf of the Canadian International Council, Autumn, 1985 URL: <https://www.jstor.org/stable/40202320>, [Accessed Date: 27 April 2021], P.737

⁸¹ Ibid, p.739

⁸² Ibid p.743

mediator include: maintaining trust and confidence, being experts on the field and promoting agreements over disputant parties⁸³. In a complicated and complex environment of an armed conflict mediators inevitably tend to change the physical and structural nature of the conflicting environment by carrying out these adoptions such as: providing a neutral site for negotiations; maintaining confidentiality through protecting secrets and; encouraging concessions from both the parties and also building up trust through modification⁸⁴.

When considering the decision of third parties to mediate, it is affected basically by three types of beneficial factors: humanitarian aspect of peacemaking; perspective of intergovernmental organizations (IGOs) and nongovernmental organizations (NGOs) towards stability and peace where they value their contribution to it; and the consequent benefits received by the actors who are involved in the mediation.⁸⁵ Also, working on the benefit of humanitarian aspect does not necessarily mean that the third parties are acting for the best interests of the conflicting parties, but evidently still they tend to shape the negotiating outcomes in accordance to their own interests and objectives⁸⁶.

Nevertheless, in order to gain a comprehensive understanding of mediation it needs to study the mediator and the relationship with the disputant parties. Once the mediator approaches a conflict, it turns the dyadic relationship of the conflict into a triadic one making a way for the third party mediator to exert an influence on the choices and prospects of the disputants. The mediator will be another negotiating party, who plays a passive, versatile role and with virtual control among the disputant parties, their role is more specific and unpredictable in particular circumstances. So, there is no particular set of strategies or roles that a mediator possesses as it transfers instinctively in accordance to the setting of the conflict or the nature of disputants. Accordingly, this role can be categorized as follows: communication facilitator; carrier of information; translator; promoter and guarantor or a supervisor of results and outcomes. For effective mediation, the roles of the mediator need to be coherent and proportionate with the strategies applied in the rise of a conflict. Apart from these characteristics of the role of the mediator, the genuine commitment and motivation of the disputant parties to settle their conflict is a necessary fact. The initiation of mediation at the optimistic and “ripe”

⁸³ Ibid p.745

⁸⁴ Ibid

⁸⁵ Beardsley, K. The Mediation Dilemma: Mediation Dilemma, Cornell University Press, ProQuest Ebook Central, 2011, URL:<http://ebookcentral.proquest.com/lib/ed/detail.action?docID=3138270>, [Accessed Date: 25 March 2021], P.23

⁸⁶ Ibid P.24

moment in the moderate level of the conflict needs to be parallel with the mediator's qualities and the resources for a successful mediation.⁸⁷

In more third parties help to create the other benefits such as lessening the conditions of violence and pausing the conflict during its negotiations in two ways:⁸⁸ one, it facilitates the path for bargaining of settlements, communication facilitation to ensure the flow of information and enhancing fact-finding to overcome mistrust and uncertainty. Two, mediation helps make short term episodes of peace during the negotiating periods. Here a third party mediator can push the peace process when parties are refusing to conduct peace talks. Such alternative means of pressuring include: utilizing tangible punitive methods, calling up international and domestic parties against the aggressors and publicly blaming such uncooperative parties.⁸⁹ However, incompetent third party mediation can undermine the perseverance of peace.⁹⁰

Moreover, the aspects of mediation success are focused on two factors based on the mediator: style of the mediator and the characteristics of the mediator. There are three broad styles of mediators according to their level of intervention: first the communication style where the mediator only dispatches information to smooth the information flow among the parties. Second, the formulation style where the mediator forms the mediation process and prepares specific solutions according to the propositions of the parties. Third, directive style, where the mediator offers incentives to the parties to acquire specific outcomes or make deterrent actions or make demands.⁹¹ The disputant's early perception about the mediator's ability and the objectives in intervening the conflict by the mediator is perceived through: the track of historical records of the disputant party, the role of the disputants and the mediator; previous mediation efforts by an individual mediator or an institution like UN etc.

⁸⁷Bercovitch, J, International Mediation, Journal of Peace Research, Special Issue on International Mediation, Vol. 28, No. 1, Sage Publications, Ltd , Feb., 1991, URL: <https://www.jstor.org/stable/424189>, [Accessed Date:27 April 2021] P.04

⁸⁸ Beardsley. K, Cunningham D.E, and White P.B, Mediation, Peacekeeping, and the Severity of Civil War, Journal of Conflict Resolution, Vol. 63(7), 2019, DOI:10.1177/0022002718817092,p.1683

⁸⁹ IbidP.1685

⁹⁰ Ibid p.1683

⁹¹ Hellmüller, S, Mediation, The Palgrave Encyclopedia of Peace and Conflict Studies, Centre on Conflict, Development and Peacebuilding, Graduate Institute of International and Development Studies, Geneva, Switzerland, 2020, DOI: 10.1007/978-3-030-11795-5_135-1,p.03

This plays a major role by influencing perception about the direct and indirect assets of both the mediating and disputant party.⁹²

1.2.2 Determinants of Mediators' efforts and approaches:

There are several factors that affect the mediator's efforts. One the environment- the aspects such as culture, time pressure and the relationship among the parties to the conflict and the mediator; Two, the effect of the mediator-training, practice and the techniques applied by the mediator; Three, effect of the disputant-relationship and the nature of interaction with the mediator.⁹³ Accordingly, the mediator's approach is determined by the following aspects⁹⁴:

Technical feasibility- availability and familiarity of techniques used by the mediator. This determines whether the particular techniques are formed by the mediator according to the past experience. Feasibility of techniques increases with the surging levels of the status of the mediator. The disputants will not ignore the higher status mediators.

Cost benefit analysis-eliminates the high cost techniques that seemed to be immediate and certain with delayed and uncertain benefits; or if it is expensive, it can be rejected. Usually, many high cost approaches will be used only if the benefits are high. Examples of such acts are joint meetings, information search and looking for multiple alternatives.

Decision strategy- here "the mediator can employ either a "heuristic" or a "compensatory" strategy."⁹⁵ Heuristic strategy-use of less time and information, considering few attributes and alternatives; compensatory strategy- use huge information and considerable time, considering many attributes and alternatives. The volatile nature of the conflict, the importance and the possibility of the escalation of the dispute determines the selection of the particular strategy to be used.

Goals-the guidance to the mediator. So, it is directly affected by the role and the behavior of the mediator. For instance the goal of being neutral within the whole process led the mediator to use techniques ensuring that his/her actions are equally applied to all the parties to the dispute.

⁹²Richmond.O, Devious Objectives and the Disputants' View of International Mediation: A Theoretical Framework, Journal of Peace Research, Vol. 35, No. 6 ,November 1998 URL: <https://www.jstor.org/stable/425412>. [Date Accessed: 20April 2021]_p.713

⁹³ Wall, J A Jr., Stark, J B and Standifer, R L Mediation: A Current Review and Theory Development, The Journal of Conflict Resolution , Vol. 45, No. 3, Sage Publications, Inc. June, 2001, <https://www.jstor.org/stable/3176150> [Accessed Date:17 April 2021] _p.377

⁹⁴ Ibid P. 379

⁹⁵ Ibid

In mediation the two criteria: the use of common resources-whether the mediator uses resources efficiently or inefficiently and then inequality of outcome where the mediator will likely be ineffective if the resources are exploited on a unilateral basis. The behavior towards the disputant parties by the mediator- whether it is biased or impartial, are such important factors to be considered⁹⁶. It is argued that if a mediator is biased they can gain concessions from the party that they prefer.. Nevertheless, the biased nature can be viewed in positive terms over the impartiality, as the mediator can gain concessions at least from one party and then the other party will resort to less exploitation of resources.⁹⁷

1.2.3 Styles of mediation:

Facilitative (conciliation) and evaluative are two popular styles of mediation. In facilitative mediation, the focus on improving the conflict resolution process through efficient interpersonal communication skills while opening the sphere to the disputants to agree. In evaluative mediation style, the mediator views the core features of the conflict and the disputant parties while tracing the resolutions⁹⁸. Both mediation styles would be applied by the mediator depending on his /her preference.

In practical terms for effective mediation, it needs to have some preparation. The Harvard Negotiation model is one such model which was created in the 1990s. The model has the following rules. “1) separate the people from the problem; 2) concentrate on interests, not on people’s stances; 3) aim at a solution that is satisfying and beneficial to all parties; 4) the solution should be reached based on neutral and objective criteria.”⁹⁹

First, separation of people from the problem insists on the importance of knowing the parties ideas about the conflict with empathy as they are dealing with the people and their personal tracks of feelings and emotions. So, maintaining a good personal relationship between the parties is important for mediation attempts to be long lasting. The problems that arise during mediation are mostly due to the persistence of images about the parties. Second, the concentration on conflicting interests instead of the attitude of people while differentiating them. Third, aiming at the beneficial and satisfying solution, because the single preferred option or a proposition beneficial only to one party is likely to

⁹⁶ Ibid_pp.578-579

⁹⁷ Ibid p.581

⁹⁸ Benedikt A, Susło R, Paplicki M, Drobniak J. Mediation as an alternative method of conflict resolution: A practical approach. *Family Medicine & Primary Care Review*. 22 (3) 2020, DOI:10.5114/fmPCR.2020.98252, p.236

⁹⁹ Ibid p.238

intrude the negotiation process. Fourth, reaching a solution based on neutral and objective criteria where all interested parties. It is a situation where a full mutual understanding has been reached.¹⁰⁰

1.2.4 Functions of the mediation process:

Third-party mediation reduces uncertainty, misunderstanding and coincides the costs and outcomes with the actual values with an appropriate offer by keeping open lines of communication. For the mediation, the mutual consent of the parties is necessary and to that end, mediators use tactics ranging from facilitating discussions to the usage of leverage.¹⁰¹ In more, mediation can address the issues of bargaining failures caused by ‘information asymmetries, domestic political constraints, or commitment barriers’¹⁰² by providing information, assisting in agreement implementation and extending the range of alternatives. The potential benefits of mediation can be yielded on a short term basis and it is not effective for a durable peace because of the ‘obscure bargaining environment, provision of artificial incentives and the insincere motives of the parties’¹⁰³. This makes it difficult to make future renegotiations.¹⁰⁴

Furthermore, leverage is an essential function in mediation. When mediators use persuasion power to avert the aggression, actors tend to reduce their demands and retreat into the peaceful track.¹⁰⁵ Mediation without leverage allows the actors to resort to mutually preferable alternatives without changing the incentives. Incentives can be in the form of tangible rewards (aids) and punishments (sanctions) and also may be intangible ones such as moral persuasion, relationship improvement or alienation threats.¹⁰⁶ Here the third party tries to bring the existing incentives to reach an agreement. UN former secretary-general Ban Ki-Moon has described this as a mediator’s task of transforming the confrontational situation into a problem-solving one--where the mediator tries to understand the interest of the disputant parties to get away from the established positions and to explore new options to address their interests¹⁰⁷. “Starting with the use of threats and promises—sticks (punishments) and carrots (rewards)—to increase the opportunity costs of conflict, the most intrusive

¹⁰⁰ Ibid

¹⁰¹ Beardsley, K. *The Mediation Dilemma: Mediation Dilemma*, Cornell University Press, ProQuest Ebook Central, 2011, URL:<http://ebookcentral.proquest.com/lib/ed/detail.action?docID=3138270>, [Accessed Date: 25 March 2021] P.43

¹⁰² Ibid_P.43

¹⁰³ Ibid _P.43

¹⁰⁴ Ibid _P.43

¹⁰⁵ Ibid_P.32

¹⁰⁶ Ibid

¹⁰⁷ Ibid. P.39

mediators can expand the number of peaceful alternative outcomes that are mutually preferable to conflict so that the actors have a greater chance of reaching a bargain.”¹⁰⁸ When third parties try to emphasize that peaceful alternatives are more attractive than the ongoing conflict, making more leverage on the combatants, they will move to a new arrangement or retrieve into the status quo.¹⁰⁹ However UN former Secretary-General Ban Ki-moon insists that mediation does not end as soon as an agreement is signed, but the active engagement of mediation through good office needs to be continued throughout the implementation process. Accordingly, several aspects are covered by such agreements, which include: return of refugees, promotion of human rights, rebuilding institutions and mechanisms etc.¹¹⁰

1.3 Strengths and weaknesses of third party mediation process

Mediation seems to be appealing when the time is abstract in a particular conflict situation and it is a low cost approach which is profitable. Also it ensures confidentiality of the conflicting parties and encourages to maintain long term relationships among them.¹¹¹ Mediation is an autonomous process which is feasible and attractive that has a reciprocal influence emphasized on consensus and mutual gains¹¹² Mediation is profitable for conflicted parties who are striving to maintain their long-term relationship, as well for those for whom confidentiality is a priority.¹¹³ The mediator selection and standard mediation procedures will be affected when there is lack of balance among the parties in terms of economic and intellectual resources. The other issue of mediation is that it can lengthen the time of conflict resolution while increasing the cost. The nature of the conflict and the relationship among the parties is proportional to the mediator’s abilities.¹¹⁴

Since the mediators possess limited incentives for continuous involvement, when threats and the negative conditions have been diminished, most mediators usually withdraw from the process.¹¹⁵ In a recurring armed conflict third parties are supposed to assist the combatants in abandoning the status

¹⁰⁸ Ibid P.32

¹⁰⁹ Ibid. P.34

¹¹⁰ Ibid P.35

¹¹¹ Benedikt A, Susło R, Paplicki M, Drobnik J. Mediation as an alternative method of conflict resolution: A practical approach. *Family Medicine & Primary Care Review*. 22 (3) 2020, DOI:10.5114/fmPCR.2020.98252., p.237

¹¹² Bercovitch, J, *International Mediation*, Journal of Peace Research, Special Issue on International Mediation, Vol. 28, No. 1, Sage Publications, Ltd , Feb., 1991, URL: <https://www.jstor.org/stable/424189>, [Accessed Date:27 April 2021] P.04

¹¹³ Benedikt A, Susło R, Paplicki M, Drobnik J. 2020, *op-cit* p.237

¹¹⁴ Ibid p.238

¹¹⁵ Beardsley, K. *The Mediation Dilemma: Mediation Dilemma*, Cornell University Press, ProQuest Ebook Central, 2011, URL: <http://ebookcentral.proquest.com/lib/ed/detail.action?docID=3138270>, [Accessed Date: 25 March 2021] P.24

quo while promoting relationships among the belligerents to prevent the transition into violence.¹¹⁶ In addition to that, multiple mediators are driven by their own incentives and domestic aspects via several types of relationships.¹¹⁷

Third party mediation in conflicts provides better peaceful bargaining in the short run than on long run basis whereas mediators temporarily bring out the incentives which are acceptable in mutual terms. This in turn assists the belligerents to identify the offers that are appropriate while giving concessions for the political leaders. When the disputants rely on the abrupt solutions, eventually there will be failures in maintaining peace overtime. So, mediation can be considered as a mechanism of reduction in the durability of peaceful arrangements in the long run.¹¹⁸

Reaching into a formal agreement is a key in the mediation process whereas it has figured out that only 15% of unmediated crises has reached into a formal agreement. Yet the effect of mediation in terms of lasting peace does not produce good results. It is perceived that more than 50% of mediated crises are recurring in comparison to the other unmediated ones of 50%, proving the less stable existence of the peace status over a long time which has been achieved as a result of mediation efforts. Therefore, mediation cannot be considered as a measure which is always adopted, although it is identified that mediation is helpful in avoiding imminent risks due to the brutal actions of disputants.¹¹⁹

1.4 Factors of effectiveness of mediation

The effectiveness of mediation lies on several factors such as timing of the mediation, strategies of the mediator and the experience of the mediator in accordance to the onset and the intensity level of the conflict.¹²⁰ These aspects can further be described as follows:

Timing: Initiating the mediation at the earlier stages of the conflict, especially before the parties fix their positions with hard attitudes while the conflict establishes with an upswing. Because when the

¹¹⁶ Ibid P.03

¹¹⁷ Böhmelt.T , Disaggregating Mediations: The Impact Of Multiparty Mediation, British Journal Of Political Science, Vol. 41, No. 4, , Cambridge University Press, October 2011 URL: <https://Www.Jstor.Org/Stable/41241845>, [Accessed Date: 14April 2021], P.861

¹¹⁸ Ibid p.07

¹¹⁹ Beardsley, K. The Mediation Dilemma: Mediation Dilemma, Cornell University Press, ProQuest Ebook Central, 2011, URL: <http://ebookcentral.proquest.com/lib/ed/detail.action?docID=3138270>, [Accessed Date: 25 March 2021] P.04

¹²⁰ Bercovitch.J and Derouen.K J.R, , Mediation in Internationalized Ethnic Conflicts: Assessing the Determinants of a Successful Process, Armed Forces & Society, Journal of Peace research Vol. 30, No. 2, 2004, DOI: 10.1177/0095327X0403000202, p.154

positions are fixed parties perceive that the conflict might end in accordance to their favour which makes it difficult to reach an agreement through concessions.

Strategies: This is the plan that the mediator adheres to resolve the conflict. The way in which the mediator handles the process depends in accordance with the varied nature of strategies that the mediator is using and the relevant context of the conflict. These strategies can be designed or modified according to the nature of the dispute or the interaction among the parties. “Three strategies: Communication-facilitation, procedural, and directive strategies”¹²¹ can further be described as follows:

-Communication-facilitation strategies: This is used by the mediator at the low end of the mediation procedure. It is a passive role where the mediator facilitates cooperation through information channeling.¹²² Frequently this has been used by the Secretary General of the UN where he is involving in resuming the dialogue among the disputant parties by supplying information for them¹²³. Several tactics such as: identifying issues; information supply; developing relationship among the parties while gaining their trust and confidence; encouraging communication to discuss the interests of the parties and offering positive solutions are considered to be important in striving in this strategy¹²⁴.

-Procedural-formulative strategies: This gives formal control over the mediation process while determining the structural spheres of the process. Accordingly, it exerts control over the information distribution, communication process and the influence of states.¹²⁵ This focuses much more on the logistical arrangement of mediation¹²⁶. So, it controls the physical environment by establishing protocols, procedures and formality of meetings while highlighting the common interests of the parties in accordance with a time frame. Here it considers the issues in accordance with the ascending order of the complexity of issues. This is a way of creating a favourable environment for conflict management.¹²⁷

¹²¹ Ibid p.156

¹²² Ibid

¹²³ Fretter, J., International organizations and conflict management: the United Nations and the mediation of international conflicts", in Bercovitch, J. (Ed.), Studies in International Mediation, Palgrave Macmillan, London, 2002, P.111

¹²⁴ Bercovitch.J and Derouen. K JR,2004, *op-cit*, p.157

¹²⁵ Ibid, p.158

¹²⁶ Fretter, J., International organizations and conflict management: the United Nations and the mediation of international conflicts", in Bercovitch, J. (Ed.), Studies in International Mediation, Palgrave Macmillan, London, 2002, P.112

¹²⁷ Bercovitch.J and Derouen.K J.R. , Mediation in Internationalized Ethnic Conflicts: Assessing the Determinants of a Successful Process, Armed Forces & Society, Journal of Peace research Vol. 30, No. 2, 2004,DOI: 10.1177/0095327X0403000202,p.157

-Directive strategies: This considers the content and the substance of the bargaining process where it provides incentives to the disputant parties by the mediator while making a change to their motivational calculus in terms of attitudes and behaviours¹²⁸. This strategy allows the mediators to have more leverage by pressing disputants through penalties ('sticks') or inducements ('carrots') while building up an interrelationship with the disputants to build trust and confidence in them. This aspect goes on well with the mediation procedures of the UN Secretary General's special envoy mechanism¹²⁹. Accordingly, here mediators make efforts to change the expectations of parties while taking responsibility for concessions and presenting suggestions for the parties. Also, it makes aware the parties about the costs of non-agreement by supplying information and showing flexibility to make changes in their perceptions.¹³⁰

Knowledge and the experience of the mediator: The contextual knowledge about the actors and the setting of the conflict is a must since the primary role of the mediator lies in information facilitation. The mediators with greater knowledge and diplomatic experience on the civil war and the status of combatants are considered to be effective and they could maintain viable connections on the ground with the parties¹³¹. Accordingly, if a mediator possesses adequate information about belligerents, it can ease the information flow. Also, the inside knowledge gained through information outside the conflicting parties help them to assess the feasibility of bargaining and potential concessions with inside knowledge of the situation. It is insisted that the avenues of information that can come through process knowledge and diplomatic knowledge help to identify claims of each party better, ensuring the better flow of information¹³². Moreover, mediators who are having historical or colonial ties are much more plausible in ending the conflict with a peace agreement. However, there is higher leverage for the mediator's knowledge and experience in interacting with the disputant parties, rather than legal process or form of cooperation they have over the international or regional organisations¹³³, along with the fact that direct diplomatic relations with the disputant party have more efficacy in mediation efforts¹³⁴.

¹²⁸ Ibid

¹²⁹ Fretter, J. 2002, *op-cit*, P.112

¹³⁰ Bercovitch. and Derouen. K JR, 2004 *op-cit.*, pp.157-158

¹³¹ Wiegand, K, Rowland, E and Keels, E Third-party knowledge and success in civil war mediation, *The British Journal of Politics and International Relations* 2021, Vol. 23(1), DOI:10.1177/1369148120930674, p.03

¹³² Ibid ,p.06

¹³³ Ibid ,p.13

¹³⁴ Ibid pp. 16-17

Effective mediation can be evaluated in terms of the low-intensity level of the conflict whereas the intensity can be measured in terms of the number of losses of the opposition party to the conflict or the scale of military operations which the parties resort into.¹³⁵ It is costly and less tangible to make negotiations and to find a mutually acceptable third party. But it is important to consider to which extent the flexibility and the status of autonomy of the mediator are constrained and its impact on the cost of third party mediation. The mediator does not necessarily make a procedural hierarchy in its negotiation process, instead, they act as a legitimate and intermediate party to bring the disputants to the negotiating table while observing the disputants' bargaining failures, information of its dynamics. Then the mediator determines against whom it needs to use sticks (use of coercive measures) to determine the progress of the negotiation process.¹³⁶

The main ending point of mediation is to accomplish bargaining outcomes. So, mediation needs to be reviewed in terms of the bargaining environment. Accordingly, it has been identified three main sources on bargaining failure: "uncertainty, political constraints, and commitment problems"¹³⁷ which ultimately causes the conflict to recur whereas if these factors are stronger, it is difficult to make renegotiations in achieving peace.¹³⁸ Accordingly the above three factors can be further described as follows¹³⁹:

Uncertainty- There is an uncertainty on the potential of reaching an agreement. Asymmetric nature of information- actors know about their own capacities, strengths and cost of conflict than their adversaries where it might misinterpret their own minimal terms of acceptance. Also misperceiving the relevant bargains due to the organizational barriers are the main reasons for creating uncertainty in the mediation process.

Political constraints- Several factors such as politics, domestic audience and the cost of concessions influence this. In order to keep the leaders in power it requires consent from the domestic public, party elites or the military sector and then the rise of political concessions caused due to the shift of status quo. The domestic public can also hinder the bargaining process if they perceive that the conflict is

¹³⁵ Bercovitch, J., *Third Parties in Conflict Management: The Structure and Conditions of Effective Mediation in International Relations*, International Journal, Vol. 40, No. 4, Managing Conflict, Sage Publications, Ltd. on behalf of the Canadian International Council, Autumn, 1985 URL: <https://www.jstor.org/stable/40202320>, [Accessed Date: 27 April 2021], P.748

¹³⁶ Beardsley, K. *The Mediation Dilemma: Mediation Dilemma*, Cornell University Press, ProQuest Ebook Central, 2011, URL: <http://ebookcentral.proquest.com/lib/ed/detail.action?docID=3138270>, [Accessed Date: 25 March 2021] P.21

¹³⁷ Ibid P.26

¹³⁸ Ibid

¹³⁹ Ibid pp.26-28

likely to bring the benefits and it would relinquish when making concessions. Similarly, if the disputant party is likely to be gaining net utility gains from the conflict with political benefits, this domestic pressure will be fastened in such a conflict.

Commitment problems- Problems in reliable commitment to agreements. Time inconsistency is a barrier to achieve peace as it breaks the agreements that are reached eventually. This basically causes due to the inability of negotiated parties to continue in keeping their promises as it is out of the bounds of their control since in today's context the conflicts are influenced by non-state actors and the weak states. Also, the difficulty of actors to control the integral members when working out an agreement at the negotiating table further enumerates this issue.

Furthermore, these factors can be outstretched into the ripeness framework of conflict resolution, where the conflict proceeds in stages and some of them are manageable to accomplish a resolution than the others.¹⁴⁰ Accordingly, this ripeness theory consists of two main conditions to evaluate the particular level of ripeness in the conflict to make a resolution or not: First, “mutually hurting stalemate”¹⁴¹- where parties in a situation that they have incurred high cost where their unilateral engagement in the conflict cannot surge the conflict into a military victory; Second, when parties consider mediation as an alternative way of getting out of the conflict.¹⁴²

Nevertheless, the prolonged conflicts have much more feasibility to experience in the onset of mediation. That may be due to the fact that the disputing parties are in a stalemate position where they are no longer able to accomplish their goals on the battlefield. Also when there was a former attempt of reopening negotiations by a third party, it is more likely to have mediation. Since civil wars are more prone to have mediation efforts, international organizations play a major role in these efforts.¹⁴³ Real power is important in local/regional conflicts.¹⁴⁴

Accordingly, the effect of the three mediation styles namely: facilitative, informative and manipulative styles and the applied strategies in such conflicts can be described as follows: The

¹⁴⁰ Ibid, p.29

¹⁴¹ Hellmüller, S, Mediation, The Palgrave Encyclopedia of Peace and Conflict Studies, Centre on Conflict, Development and Peacebuilding, Graduate Institute of International and Development Studies, Geneva, Switzerland, 2020, DOI: 10.1007/978-3-030-11795-5_135-1,P.03

¹⁴² Ibid

¹⁴³ Wiegand, K, Rowland, E and Keels, E Third-party knowledge and success in civil war mediation, The British Journal of Politics and International Relations 2021, Vol. 23(1), DOI:10.1177/1369148120930674 ,p.1181

¹⁴⁴ Ibid p.1184

manipulative mediation style has much more effect on the parties to reach an agreement, whereas facilitative mediation activities range from providing good office to complex roles of communication by revealing the information independently to gain a holistic understanding on the dynamics of the conflict.¹⁴⁵ Formulative mediation style involves achieving formal agreements with an efficient bargaining coordination process. This involves a substantive contribution to negotiations by the mediator. Furthermore, the manipulative mediation style shifts the focus of the actor making them identify alternatives. They can make initiatives to increase the immediate cost of conflict progression as well as undertaking an agreement. Mediators try to increase the immediate cost through offering carrots which include compensations and direct concessions or sticks which refers to pressing the parties for not reaching an agreement, i.e. sanctions or threat of military intervention.¹⁴⁶ However, the manipulative style mediator is not only able to make the comprehensive negotiation process, but the facilitative strategy is the one that brings parties together whereas the formulating style structures the proposal in the format of an agreement. However, due to the issues of lack of resources, and the drawbacks of making strategic decisions, many mediators tend to adhere only to facilitative and formulative strategies.¹⁴⁷

In addition to that, effectiveness can be assessed according to the three aspects: “formal agreement, post-crisis tension reduction, and contribution to crisis abatement.”¹⁴⁸ This identified three outcomes from the above-mentioned mediation styles and procedures can further be described as follows:

Formal Agreement: A formal agreement, considered to be more sustainable due to the fact that there is a probability that through such an agreement actors can reach mutually beneficial outcomes. When this applies to the above-discussed mediation styles, with the enforcing role of the mediator in manipulative mediation, and in facilitative and formulative styles it allows the parties to identify demands that will be acceptable by other sides leading to form distinctive mutually acceptable agreement. So, it is identified that these mediation styles are effective in reaching a formal agreement among parties to conflict¹⁴⁹.

¹⁴⁵ Beardsley, K C, Quinn D M, Biswas, B and Wilkenfeld, J, Mediation Style and Crisis Outcomes, The Journal of Conflict Resolution, Vol. 50, No. 1 Sage Publications, Inc. February 2006, URL: <https://www.jstor.org/stable/27638475>, [Accessed Date: 20 April 2021] P.81

¹⁴⁶ Ibid pp.63-64

¹⁴⁷ Ibid p.65

¹⁴⁸ Ibid p.58

¹⁴⁹ Ibid P.68

Tension reduction: The long term tensions can be reduced via facilitative and formulate styles of mediation since the revealing of information and coordination done by the mediator opens the way to bring a set of options that are perceived to be mutually preferable to focus on negotiations. Manipulative meditation can reduce the tensions under the condition when it is effective in securing more costly formal agreements¹⁵⁰

Contribution to general crisis abatement: “Crisis abatement refers to a reduction in tensions between the disputants.”¹⁵¹ This can be either in the form of signing a formal agreement with the support of mediation efforts or either it is a situation of fading away from the conflict without the future threat of violence, even without signing an agreement. When there are higher relative costs then, the probability of resorting to crisis abatement is higher, despite the fact whether an agreement has been reached.¹⁵²

Leverage is another key factor which can be defined as a means that the mediator can influence the mediation process.¹⁵³ Accordingly, leverage in mediation has been conceptualized as follows: “a manner that is sensitive to the conflict and the mediation environment in order to capture more nuanced and contextual determinants of mediation success.”¹⁵⁴ There are two main components of mediation leverage theory: capability leverage and credibility leverage. Since civil wars are caused due to the bargaining failures, the effect of these types of leverage over the bargaining process determines the nature and the resilience of peace.¹⁵⁵

Accordingly, capability leverage is defined under the material influence where it involves the acts of coercion and it is used mainly by the mediators with resource capabilities, which are either material or immaterial. In other words, those mediators can shape the process by using carrots and sticks to accelerate the process. This is similar to the manipulative style of mediation where it uses the material incentives while expanding the bargaining range of adversaries. Since this is context-dependent on the resource capability, it is not a static and constant process over time.¹⁵⁶ Therefore the effects of

¹⁵⁰ Beardsley, K C, Quinn D M, Biswas, B and Wilkenfeld, J, Mediation Style and Crisis Outcomes, The Journal of Conflict Resolution, Vol. 50, No. 1 Sage Publications, Inc. February 2006, URL: <https://www.jstor.org/stable/27638475>, [Accessed Date: 20 April 2021] pp.69-70

¹⁵¹ Ibid P. 70

¹⁵² Ibid

¹⁵³ Reid, L, Finding a Peace that Lasts: Mediator Leverage and the Durable Resolution of Civil Wars, The Journal of Conflict Resolution, Vol. 61, No. 7, Sage Publications, Inc. 2017 August URL: <https://www.jstor.org/stable/26363934>, [Accessed Date: 15 April 2021], P.1403

¹⁵⁴ Ibid, P.1402

¹⁵⁵ Ibid, P.1403

¹⁵⁶ Ibid pp.1407-1408

capability and credibility leverage on mediation success can be further described as follows: Capability leverage expands the bargaining range while making space for the disputants to identify the mutually preferable negotiating terms. There is a potential success at the initial stage, but the long term beneficial effects cannot be expected. On the other hand, credibility leverage increases the possibility that mediators have relevant information to be communicated in a trustworthy manner. Unlike the mediators with credibility leverage, capability level mediators are less aware of the relevant information needed for a durable settlement. When disputants believe that the motives of mediators are genuine when there are historical and cultural ties in terms of credibility leverage. The knowledge and information that these credibility leverage mediators possess leads to make settlements that are cautiously fit within the acceptable range of bargains, by minimizing the time-inconsistency problems.¹⁵⁷

Apart from that bias is another factor that affects the effectiveness of mediation. The bias of the mediator refers to “the extent to which a third party derives utility from the allocation of the stakes to each side in the dispute.”¹⁵⁸ It can depict that the unbiased mediators are effective in facilitating settlements between the disputants. Because particularly in a conflict situation disputant parties have private information and the strengths or incentives and sometimes they will overestimate the gains from the conflict. In such a scenario, the unbiased mediator has more credibility over the information compared to a biased mediator who tends to make settlements on the basis of the preferences of the party they support. Biased mediation will lead to a settlement if the mediator's private information suggests that his chosen disputant would do badly if a settlement has not been reached. Also, the disputant parties are comfortable in revealing private conflict relevant information to the unbiased mediator, because the disputant knows that the incompatibility is no longer considered by the mediator.¹⁵⁹.

The factors and conditions for effective Mediation can be categorized into three types: the identity and characteristics of the combatants, the nature of the dispute, the mediator’s identity and characteristics. There is a higher chance of success in mediation when combatants are distinctive and the mediator is recognized as a legitimate voice. Mediation would be effective when a particular conflict takes place among the adversaries with small and medium power. It is an acceptable norm

¹⁵⁷ Ibid, pp.1409-1412

¹⁵⁸ Beber, B, , International Mediation, Selection Effects, and the Question of Bias, Conflict Management and Peace Science , September 2012, Vol. 29, No. 4, , Sage Publications, Ltd. 2012 September_URL: <https://www.jstor.org/stable/26275350>, [Accessed Date: 25 April 2021], pp.403-404

¹⁵⁹ Ibid,

that mediation can be carried out only if the mediator possesses certain organizational and personal characteristics along with proper knowledge and skills. The perception about the mediator's personal attributes, for instance, a positive attitude, empathy, stamina, energy, intelligence or being impartial is quite important. Then the adversary's confidence will be increased. Also, the mediator's possession of material and non-material resources is another important factor where such resources can be used as a mean of influence and to modify the positions resulting in effective mediation¹⁶⁰.

To that end, the disputant's view on international mediation is a decisive factor in conflict management. In a conflict situation with a deadlock, mediation is considered to be the most effective method as the disputants tend to view it as zero-sum, as they view mediation as an effort to 'win' or to avoid defeat¹⁶¹. The relationship and the process of mediation plays a vital role whereas the disputants perceive the mediator and their requirements directly affect throughout this process. So, the relative power and legitimacy of the disputants directly affect the potential role played by the mediator.¹⁶² Disputants expect that mediators play the roles of empowerment, legitimization or internationalization. However, it needs to be considered that the disputants might be divided between who wants to have pre-negotiation, and who needs to compromise through international mediation. So, disputants value the resources and assets that mediators bring about to make compromises.¹⁶³ Apart from that, the physical presence of the mediator and the optimal level of expectations of the mediator among the disputants can help to achieve mutual settlements with an insight of potential effectiveness in objectives of the mediators and use of their resources directly or indirectly.¹⁶⁴

The impact of characteristics of an actual mediation event on its effectiveness can be analyzed as follows: Those characteristics are based upon the situation, intensity of the conflict, domestic factors and the nature of parties involved.¹⁶⁵

¹⁶⁰ Bercovitch, J., Third Parties in Conflict Management: The Structure and Conditions of Effective Mediation in International Relations, *International Journal*, Vol. 40, No. 4, Managing Conflict, Sage Publications, Ltd. on behalf of the Canadian International Council, Autumn, 1985 URL: <https://www.jstor.org/stable/40202320>, [Accessed Date: 27 April 2021], pp.745-750

¹⁶¹ Richmond, O., Devious Objectives and the Disputants' View of International Mediation: A Theoretical Framework, *Journal of Peace Research*, Vol. 35, No. 6, November 1998 URL: <https://www.jstor.org/stable/425412>, [Date Accessed: 20 April 2021], p.709

¹⁶² Ibid pp.709-210

¹⁶³ Ibid P.712

¹⁶⁴ Ibid, PP.712-713

¹⁶⁵ Bercovitch, J and Houston, A Why Do They Do It Like This? An Analysis of the Factors Influencing Mediation Behavior in International Conflicts, *The Journal of Conflict Resolution*, Vol. 44, No. 2, Sage Publications, Inc. April, 2000, URL: <https://www.jstor.org/stable/174662>, [Accessed Date 27 April 2021] p.181

The process of mediation depends on the understanding of the disputant and the mediator's understanding of the role of managing the conflict situation. Accordingly, the timing of the mediation intervention and the initiation of the role of mediation plays a huge role. Mediation choice depends on the acceptance of the mediator along with the perception of the resources and skills of that third party. The environment that the mediation takes place in is determined by the powers, resources, goals and consent of the parties to make negotiations. Also, the behaviour and the strategies implemented by the mediator is based on the dynamics of the conflicting environment. The physical context of mediation depicts that the abilities of the mediator: authority, status, power, leverage can be determined through their efforts to the international audience.¹⁶⁶

Similarly, the characteristics that are supposed to be possessed by a mediator are identified as essential to measure the effectiveness and success of the mediation process and also the ability of the mediators to handle the process. The identity, power and the rank of the mediator at the international stage dignify the fact, how far a mediator can gain control and influence the conflict management situations and their competence to intervene and to determine the strategies by exercising their leverage over the process. The interests and positions of the mediators determine the range and access to the resources that each mediator possesses and the leverage that they have over them to fulfil their mediator role.¹⁶⁷

The mediator's past experience about conflicts helps to determine the ability of a particular mediator's involvement in conflict management. The previous relationship of the mediator with the parties determines the mediator's power and influence, which can be exerted through the relationship with the actors based on the factors such as history, experience, values, interests, it determines the level of familiarity, understanding the acceptability level in the context of the mediation process. This is a way that a mediator can gain a reputation.¹⁶⁸ However, the mediator's selection of a particular strategy depends on the factors such as needs, capabilities, situation, and relevance of power and resources, and the perception of the parties.¹⁶⁹

¹⁶⁶ Ibid _p.182

¹⁶⁷ Ibid pp.180-181

¹⁶⁸ Ibid, p.182

¹⁶⁹ Ibid _pp.180-181

1.5 Mediation concepts related to UN and other IGOs or NGOs

Even before the advent of the modern Westphalia system, there were some forms of organizations that carried out the tasks of conflict management. Accordingly, in the general sense, the tasks of the international organizations are to reach into prospect bargains between the disputant parties under an anarchic condition apart from imposing constraints and adhering to other measures. Being a member of an international organization itself is considered as a manner that avoids war with each other. According to John Mearshmeier, these organizations create rational incentives for states to resort to peaceful means of dispute settlements. According to the neo-Kantianism perspective, the interdependence and the structure which build up through such an international organization make the member states view war as an unprofitable condition. It paves the way for the member states to strengthen the interest in non-violent dispute resolution. Nevertheless, traditional realist school insists on the coercive mechanisms like sanctions that an international organization can pose in preventing war, whereas it is depicted as a way of imposing costs to reduce the conflict. Then it assumes that preferably the aggressor would step back leading to the prevention of a conflict.¹⁷⁰

International organizations facilitate the flow of information and it helps to reveal the intentions and interests of other member states by smoothing the bargaining process.¹⁷¹ International Organizations worry that the disputes break up the relations among the members. So, when a conflict is difficult to solve, International organizations have much more interest in such conflict as they perceive it as a threat to their functionality. There will be extra motivation to an international organization when such a conflict will get militarized. When the individual democratic states face difficulty to solve the conflict by themselves, they resort to an international organization to resolve such conflicts. In democratic communities, International organizations are highly active whereas regional organizations play a significant role when there is a threat to regional stability. Since International organizations have great incentives to preserve peace among their members they are the last resort of democratic states, when there is a failure in conflict management.¹⁷²

¹⁷⁰ Edwards, M.S. and. DiCicco, J.M International Organizations and Preventing War, Oxford Research Encyclopedia of International Studies, 2018, URL: <https://doi.org/10.1093/acrefore/9780190846626.013.407> [Accessed Date: 18 February 2021],pp.02-03

¹⁷¹ Ibid

¹⁷² Beardsley, K and Lo, N, Democratic Communities and Third-Party Conflict Management, Conflict Management and Peace Science , Vol. 30, No. 1, Sage Publications, Ltd., February 2013, URL: <https://www.jstor.org/stable/26275276>, [Accessed Date: 28 March 2021] P.81

United Nations Secretary-General António Guterres acknowledged that mediation is an indispensable, flexible and effective tool of conflict resolution, prevention and management which is conducted mainly by the United Nations and as well as by a range of regional, non-governmental organizations.¹⁷³ Nevertheless, in the international arena the mediation efforts have been increased with the amplification of actors involved in mediation. The United Nations and the other regional and non-governmental organizations' concrete guidance on effective mediation has been supporting the structures and public policy documents related to the international mediation process. Also with the expansion of the objective of mediation, especially after the end of the cold war, which basically focused on promoting liberal norms such as equality, human rights and transnational justice with the advent of liberal international world order has been a significant aspect for international mediation.¹⁷⁴ Third-party mediation via both official and unofficial parties is defined as track diplomacy. The effectiveness of Track One Diplomacy (ToDs) is determined by the leverage and resources. More the leverage and resources, the more it can be effective.¹⁷⁵

There is a correlation between the number of deaths in the conflict and that of the UN mediation efforts. The research by Beardsley et al. 2019, denotes that “the coefficient of UN mediation has resulted in a negative association with the number of battle deaths while it is positively associated with the number of no battle deaths.”¹⁷⁶ However mediation efforts other than UN make a slight effect, but it is not at a significant level as of UN. Because in terms of interaction with the parties UN direct mediation has shown a pacifying effect with a strong impact on the peacekeeping process.¹⁷⁷

The United Nations being the universal intergovernmental organization, possesses the unique attributes, resources and power as an international mediator. But despite this, the UN is facing a varied range of challenges in its mediation process. Also, it is noteworthy that in the twenty-first century United Nations records on mediating efforts were low and the UN rarely engaged in mediation efforts

¹⁷³ Hellmüller, S, Mediation, The Palgrave Encyclopedia of Peace and Conflict Studies, Centre on Conflict, Development and Peacebuilding, Graduate Institute of International and Development Studies, Geneva, Switzerland, 2020, DOI: 10.1007/978-3-030-11795-5_135-1,p.02

¹⁷⁴ Ibid

¹⁷⁵ Böhmelt, T , Disaggregating Mediations: The Impact Of Multiparty Mediation, British Journal Of Political Science, Vol. 41, No. 4, , Cambridge University Press, October 2011 URL: <https://www.jstor.org/stable/41241845>, [Accessed Date: 14 April 2021], P.167

¹⁷⁶ Beardsley, K, Cunningham D.E, and White P.B, Mediation, Peacekeeping, and the Severity of Civil War, Journal of Conflict Resolution, Vol. 63(7), 2019, DOI:10.1177/0022002718817092,p.1703

¹⁷⁷ Ibid

at high profile conflicts on the world stage.¹⁷⁸ UN mediation process can be considered to be based on its legitimacy and the recognition¹⁷⁹. UN has been more likely to impose coercive and non-coercive sanctions according to the policy status of the parties throughout the years. But in accordance with the norms of responsibility to protect (R2P) and constitutional values, the UN is inclined towards the use of mediation while enhancing cooperation with the regional organizations.¹⁸⁰ The UN has the authority to impose agreements, global values and governance over the parties that challenge the international norms, which are depicted in the UN charter itself. The Unified global interests of preventing international and national conflicts while promoting the rule of law depict the importance of global constitutionalism. The different nature of each type of conflict at the national, regional and international level is a barrier to conflict resolution. Abided with that, the cultural differences between the parties also cause discordance and hence it arises the necessity of a mediator to understand, interpret, explain and disseminate the positions of the conflicting parties to fill out this gap.¹⁸¹

To that end, forms and the characteristics of the United Nations mediation efforts can be described as follows:

A UN mediator is also supposed to have the characteristics of adaptability, quick decision making, rigidity and flexibility. The use of the Secretary General's good office mechanism as a form of mediation is considered to be one of the effective and a recognized means of mediation as it has much more visibility and a higher level of interaction with the state officials and the UN by making the foundation for further discussions. According to Article 98 of the UN charter, Secretary-General can use the good office upon the request of one of the conflicting parties or the Security Council or the General Assembly or he himself can make a self-assessment of the situation and make initiations to take actions of an intermediary.¹⁸² Here the distinctive advantage is that the Secretary-General can intervene in the issue without further delay. Without a direct involvement of the Secretary-General,

¹⁷⁸ Iji, T, *The UN as an International Mediator: From the Post–Cold War Era to the Twenty-First Century*, Global Governance, Vol. 23, No. 1, Brill, January.-March. 2017 URL: Date: <https://www.jstor.org/stable/44861109>, [Accessed Date: 22 April 2021], pp.83

¹⁷⁹ Richmond, O, *Devious Objectives and the Disputants' View of International Mediation: A Theoretical Framework*, Journal of Peace Research, Vol. 35, No. 6, November 1998 URL: <https://www.jstor.org/stable/425412>, [Date Accessed: 20 April 2021], P.712

¹⁸⁰ Barbosa, L and Kuster, R, *The Coordination Between International and Regional Organizations (Third Party Actors) as an Effective Recourse for the International Conflict Resolution Through Mediation*, Willamette Journal of International Law and Dispute Resolution, Vol. 26, No. 1/2 2019, <https://www.jstor.org/stable/10.2307/26915366>, Accessed Date: 16 April 2021] P.138

¹⁸¹ Ibid, P.166

¹⁸² Fretter, J., *International organizations and conflict management: the United Nations and the mediation of international conflicts*, in Bercovitch, J. (Ed.), *Studies in International Mediation*, Palgrave Macmillan, London, 2002pp. 98-126., P. 112

here he can appoint a special envoy on his behalf as a representative of the conflict settlement process. The main tasks of the envoy include reporting, arrangement of meetings between disputant parties, state representatives and the other official and non-official groups etc. The special envoy is supposed to establish a clear line of dialogues via information facilitation while maintaining the UN representation during the process.¹⁸³ Use of good offices is a stepping stone in the foundations for further talks and mediation attempts. UN use of the good office is more recognized and perceived as a form of a higher level of interaction between the officials of a particular state and the UN officials. Here the UN mediator acts as the link between the Security Council, the General Assembly and the disputants. It is more recognized because of its visibility as the highest-level interaction between state officials and the UN. Acting as a bridge between the Security Council, the General Assembly and the disputants. Benefits from the position, being more logistically accessible to the disputants during the course of the conflict.¹⁸⁴

Furthermore, the UN derives its legitimacy and credibility status as a mediator upon its reliance on the status as a global organization. Its cohesiveness of its members and the experience gives momentum for its resolutions. Also, the UN being impartial and fair are other features that disputants consider when enlisting the UN as an effective mediator.¹⁸⁵ UN credibility is affected by the rising number of protracted intrastate conflicts which are difficult to resolve.¹⁸⁶ Yet, the UN is responding to the changing conflict environment, where most conflicts are now focusing on ethnic-religious rivalry, who are seeking equal representation and especially with the absence of superpower rivalry for intrastate conflicts. So, the UN is also using its conflict management strategies in its mediation in accordance with this altering conflicting environment.¹⁸⁷ Accordingly, the UN can intervene at three different levels responding to an international conflict: one through violence and cohesion in terms of both physical and psychological means; two, through direct and indirect forms of negotiations (via barraging); three-as binding and non-binding interventions.¹⁸⁸ So, the UN appears as a leveraging party through its range of skills and expertise along with the position that has been inculcated in it as a representative of an international organization. However, despite these assets, along with the

¹⁸³ Ibid, pp. 112-113

¹⁸⁴ Fretter, J., *International organizations and conflict management: the United Nations and the mediation of international conflicts*", in Bercovitch, J. (Ed.), *Studies in International Mediation*, Palgrave Macmillan, London, 2002, P.112

¹⁸⁵ Ibid Pp. 98-99

¹⁸⁶ Ibid.P.121

¹⁸⁷ Ibid P. 99

¹⁸⁸ Ibid P. 100

complexity associated with the intrastate conflicts, UN mediators might be reluctant to be involved in the long term basis mediation process.¹⁸⁹

The mediator's leverage derives from the power of the organization and the preparedness to act. First the leverage can be the disputant willingness to have a mediator with acceptable solutions and then second, the permission of the disputant to allow the mediators to employ the strategies. Third, leverage depends on the interests of the disputant, resources of the mediator when offering concessions (carrots) or to conceal the incentives (sticks). The leverage of the UN mediator is marginalized as they can offer little.¹⁹⁰ "The UN organization has no 'carrots' of its own and has no 'sticks' to wield."¹⁹¹ But the UN through its position of representing a global organization is able to derive its leverage, instead of lower-ranking mediators where disputants might see them as one who has less authority. Disputants perceive that one who is with higher prestige have accessibility to leverage and credibility with the backing of their organization where this situation is similar in a case of UN high ranking mediator although they don't have direct access to their own carrots and sticks, unlike a state mediator.¹⁹²

Despite the fact that UN mediation is the last resort, UN involvement at the last stages of the conflict is highly criticized pointing out that early involvement in a conflict is more effective. The UN mediator is involved at the most intense moment of the conflict in a point where the distrust among the hostilities has grown into a position where they disregard dialogue as a way to solve the issues. Added to that, the UN relies on its major power support in terms of political influence and resource capabilities- who wields more carrots, to have a successful impact rate in its mediation attempts.¹⁹³ Although the UN has the flexibility to be involved in every phase of such conflicts, its role is determined by the cohesiveness of its members, resource capability, level of impartiality and acceptance by the disputants and the legitimacy conferred upon them over the experience, expertise and capabilities it possesses.¹⁹⁴

Accordingly, it needs to consider the constraints faced by the UN in its role as an effective mediator as follows:

¹⁸⁹ Ibid., Pp.102-103

¹⁹⁰ Ibid P.113

¹⁹¹ Ibid P.114

¹⁹² Ibid P.117

¹⁹³ Ibid P.114

¹⁹⁴ Ibid, P.123

Disputants tend to seek alternative methods of conflict management other than the United Nations due to the members' reluctance to fund the organization and low level of confidence in the organization. The earlier intervention into a conflict is hindered by the issues of sovereignty and clauses on the international intervention. Alternatively, the poor early recognition of the escalation of the conflict, and difficulty in fissuring out the 'ripeness'¹⁹⁵ for an international intervention are also hindering factors for effective mediation.¹⁹⁶ Consequently, it has been identified six operational constraints that the UN is withstanding in its role of mediation: Membership commitment levels-support on funding, resources, where the UN does not have its own resources. So the actions of the organization's credibility depend upon the resource commitment of its members; consensus and cooperation levels of the members-disunity and disagreement in decision making undermines the position and weight of the organization in terms of reaching into an agreement; constraints within the international system-the principles, norms such as sovereignty, state interests, non-intervention etc.; voluntary participation of UN; operating principles in the UN charter-for example, the use of force and the obligations and restrictions regarding forceful measures; decision making procedure of the organization where it based on consensual decision-making mechanism. For instance, the vote is necessary in all bureaucratic purposes related to conflict resolutions and it might lead to slow and inaccurate responses for a conflict situation.¹⁹⁷

The composition of member states in the UN, where the commitment levels, the nature of membership; the level of cohesion among the members; dependence on member states for funding and resources; and binding principles of the organization which set mainly through the UN charter (i.e. Non-interference in domestic affairs) makes a direct impact on its collective procedures. Apart from the organizational constraints, the structure of the international system makes an impact on the level of support given by the major powers in its decision-making process and it determines the success of implementation of its conflict resolution mechanisms while ensuring the credibility of the organization. The different levels of cooperation and commitments of the General Assembly and the Security Council has been identified as it ruins the decision-making procedures of the UN. Also, it is difficult to have actors adapt to these changes in the international system as it is costly for the credibility of the organization and hence this lower level of commitment led to creating drawbacks in successful mediation efforts. Similarly, lack of cohesion of membership comes with the issues of

¹⁹⁵ Ibid P.106

¹⁹⁶ Ibid P.106

¹⁹⁷ Ibid P.107

budget and funding issues where members tend to have fewer commitments along with the criticism of lack of democracy in decision making. This situation will further be impacted by the indistinctive objectives of the UN secretary general and it will create vague policies and resolutions with unclear goals.¹⁹⁸ Therefore, it implies the fact that UN membership can either amplify or reduce the legitimacy level of the organization in performing its mediation role. Because of the support of its members, the norms of the organization exemplifies the UN leverage and its institutional standards. The UN ability to implement decisions by settling a dispute through concessions has affected these factors.¹⁹⁹

Nevertheless, the UN tends to fail in making political settlements in some of the high profile mediation efforts. The effectiveness of mediation is inevitably affected, since the organization is influenced by the interests and positions of their member states, especially the major powers. The mediators of the UN are not only engaging with the disputant parties to the conflict but also among the interested member states, sometimes it can be other actors such as regional organizations and non-governmental organizations. So, in this context the broad international consensus, especially the consent of Permanent five members (P5) of the Security Council, is necessary. Because this facilitates the UN to make peacemaking initiatives and proposals to be endorsed with a clear consensus and also to legitimize their actions when there is a need for political support from the international community. So, if the veto power at the UN Security Council leads in developing the tasks into a complex level, the UN mediators would face difficulties on a legal and political basis. Accordingly, the possibility of achieving the consensus of those great powers are possible by being aligned to their interest- in the inter-linked context of a specific conflict. So, this convergence of interests is a vital factor for an effective mediation process.²⁰⁰

In contrast to that, the United Nations also opens to the range of conflict management options as much as the regional organizations that are available to mitigate, prevent and resolve conflicts. But the commitment levels of the mediator has a direct impact on these conflict management activities. Similar to International organizations, regional organizations are also capable of extending additional incentives in terms of political or economic aid, to reach and implement a peace agreement in the event of long term threat to peace and security. Some regional organizations have norms and joint

¹⁹⁸ Ibid, P.104

¹⁹⁹ Ibid P.105

²⁰⁰ Iji, T, The UN as an International Mediator: From the Post–Cold War Era to the Twenty-First Century, Global Governance, Vol. 23, No. 1, Brill, January.-March. 2017 URL: Date: <https://www.jstor.org/stable/44861109>, [Accessed Date: 22 April 2021], pp.83-85

rules which are extending beyond the traditional security concerns.²⁰¹ Several pros and cons of conflict management of regional organizations over the International organizations are visible in terms of consensus and support of the disputant parties. A mediator from an international organization like the UN, may have greater support from the disputant parties due to its recognition. But in terms of consensus, the regional organization seems to be more advantageous due to its homogenous composition, which is not constrained like the UN veto power, member states consider it more like a bilateral discussion with a state party. Also, the greater support and acceptance given by the disputants and the local population is another advantageous aspect for regional organizations' mediation compared to the UN missions. Also, in an intrastate conflict, regional organizations have more control over the third party states and they can identify their economic and security interests rather than the UN. In contrast to that, the UN being under the umbrella of global organization has no boundary of control like a regional organization, where it is hard for them to deal with issues related to external interventions. For effective mediation authorization of the organization is also an essential criterion where the regional organizations face difficulties in terms of political influences and means of exerting coercion and as well as they are facing the inability of taking solid actions against the powerful members.²⁰²

Therefore, despite the UN being considered as the unitary actor in its role of mediation in general, in the contemporary international mediation efforts, it is considered to be a multiparty one along with the involvement of other actors such as states, international, regional and non-governmental organizations and as well as individuals. This multiplicity and the development of globalization, privatization and regionalization in the internal arena has ultimately increased the engagement of conflict mediation.²⁰³ UN and other actors are trying to shape up their ways to tally with the changing context and demands of conflict management. The UN is facing competition and rivalry among the state and non-state actors, with contrasting and conflicting interests, are trying to find an opportunity and a possibility for themselves to capture the public interest in the mediation process. Accordingly, it is important that the UN mediators need to launch flexible and adaptable measures and working procedures to capitalize their strengths of mediation amidst this competition.²⁰⁴

²⁰¹ Diehl P.F, New Roles for Regional Organizations, part V, Leashing the Dogs of War: Conflict Management in a Divided World, 2007, pp.535-536

²⁰² Ibid, pp.540-543

²⁰³ Iji, T, The UN as an International Mediator: From the Post–Cold War Era to the Twenty-First Century, Global Governance, Vol. 23, No. 1, Brill, January.-March. 2017 URL: Date: <https://www.jstor.org/stable/44861109>, [Accessed Date: 22April2021] p.89

²⁰⁴ Ibid, p.92

Since the nation states have a higher flexibility to engage in mediation efforts and their linearity towards the independent mediation efforts rather than adhering to the UN framework found out to be best serving their national interests. So, in such a circumstance, UN mediators face the difficulties of adhering to the aspirations of such state parties. Similarly, the process gets much more complicated with the presence of the prominence and the capacity of regional organizations in conflict management, and the issues raised related to the division of labour between these organizations and that of the UN in the conflict situations.²⁰⁵ The other barrier for the UN is the declining of its expertise and the legitimate power. The expert power now has been in the shared status with the access of information in the information age while the legitimate power is no longer monopolized by the UN, and hence it ultimately created a competition with other actors of this mediation environment. Similarly, with regionalism, and privatization (with the advent of NGOs or Private mediators) it has increased the capacities of mediation within them in terms of expertise and legitimacy.²⁰⁶ This might imply that the UN is in its lasting value of providing expertise in the mediation field in a sphere which has been overwhelmed with a range of actors who are claimed to have much more competencies.²⁰⁷ Similarly, in a condition where the UN mediator had to share its floor with several other types of state and non-state actors, its mediation role turned out to be based on overlapping power bases.²⁰⁸

So, it is identified that the UN is facing the challenge of coordination. So, if there is lack of such integration efforts, it will create an unhealthy competition among the mediators, making it difficult to maintain a coherent and credible peacemaking effort.²⁰⁹ In that context the profound weight given by the actors for the UN mediation needs to be considered.²¹⁰

²⁰⁵ Ibid p.90

²⁰⁶ Ibid, p.93

²⁰⁷ Ibid p.95

²⁰⁸ Ibid pp.95-96

²⁰⁹ Ibid,

²¹⁰ Ibid p.89

Chapter II- The problems of effectiveness, challenges and constraints of UN mediation in armed conflicts: the case study of the Yemen conflict

2.1 Review of the onset and dynamics of the Yemen conflict and its mediation process by the UN

The Yemen Conflict is one of the active, prolonged, internationalized armed conflicts in the form of a civil war. It has resulted in thousands of deaths and a vast range of infrastructure destruction, turning the Yemeni ground into the world's largest humanitarian crisis. The features of interconnectedness and the involvement of regional and other global superpowers in the conflict with the United Nations special envoy's mediation mechanism is highlighted in this chapter. Despite the years of United Nations mediation efforts and brokered negotiations, the deep-seated antagonism among the disputants entrenched with irrevocable positions among the parties to the dispute.

The ineffectual political conditions and the marginalization of the economy for different communities across the country along with the historically prevailed grievances leading to produce havoc in Yemen.

²¹¹ The Yemen conflict is framed mostly as a dispute which occurs between Ansar Allah (Houthis), who control the large mass of the Yemeni land and the Saudi led coalition forces who control the Southernmost parts of Yemen and who claim Aden as its capital.²¹²

These challenging circumstances go back even to the 1960s. The root of the conflict lies in the unification of the prevailed geopolitical division- the Yemen Arab Republic ("North Yemen") and the People's Democratic Republic of Yemen ("South Yemen"), with the fact of political and economic discrimination upon northerners by the southerners. This is the key for the rise of Houthis as a secessionist group by the 1980s and 1990s, where their ideological influence has grown much more during the period between 2004-2013. Added to that the 2011 Arab spring uprisings and the emergence of the government's inability to provide the necessary economic opportunities for its people aggravated the situation making the unity and political stability under a threatening condition. Consequently, the Gulf Cooperation Council (GCC) initiative came up alongside the United Nations in 2011, in Riyadh, with the resignation of then 33 years Yemen president, Ali Abdullah Saleh, while

²¹¹ Daniel E, Trevor, J. Ashley L. R, Eric R, Building an Enduring Peace in Yemen: Lessons from Five Years of RAND Research, RAND cooperation, 2021 URL:

https://www.rand.org/content/dam/rand/pubs/research_reports/RRA700/RRA733-1/RAND_RRA733-1.pdf [Accessed Date: 26 April 2021], P.1

²¹² Ibid, p.16

bringing Abdrabuh Mansur Hadi, his then-deputy, as the interim president.²¹³ The agreement which came up with the support of the five permanent members of the United Nations Security Council and as well as the European Union withheld a political transition implemented the plan of a two-stage change process that accompanied with military reports, tackling corruption while addressing the grievances of tribal groups. The United Nations Security Council resolution 2140 has further recognized this initiative as follows:

*“Recognizing that the transition process requires turning the page from the presidency of Ali Abdullah Saleh, and welcoming the involvement and cooperation of all stakeholders in Yemen, including groups that were not a party to the GCC Initiative and its Implementation Mechanism,”*²¹⁴

This 2140 is the first resolution which has been adopted by the United Nations on the Yemeni grounds, under the Chapter VII of the UN Charter and it has authorized a coercive force by calling for financial and travel restrictions on anyone who is obstructing the transition process in Yemen.²¹⁵ Furthermore, in 2012, the United Nations Security Council passed the resolution 2051 inscribing the GCC initiatives and appointed Jamal Benomar as the special representative of the UN.²¹⁶ Being working as the UN special envoy to the Yemen Benomar has been criticized by Islah, Yemen’s principal Islamist political party, for his role in solidifying Houthi rebels and letting them participate in the National Dialogue Conference, without making an initiative to renounce the arms of them. But he is successful in his prompt actions in pressuring the parties, both Hadi and Islah to sign the Peace and National Partnership Agreement (PNPA), despite the Houthis invasion in Sanaa.²¹⁷

The National Dialogue process and the National Dialogue Conference which began in 2013 hold the key in bringing representative groups and are expected to yield results of establishing an inclusive government. But this process has failed ultimately with the reason of not having sufficient political will of the parties to carry out the necessary reforms.²¹⁸ And as well as the inability to identify the

²¹³ Ibid, pp.2-6

²¹⁴ UN Security Council, Resolution 2140 (2014), United Nations Security Council, S/RES/2140 (2014), 26 February 2014, 26 February 2014, S/RES/2140 (2014), URL: <http://unscr.com/en/resolutions/2140> [Accessed Date: 06 May 2021]

²¹⁵ Lackner. H, Day S. W, Brehony .N, 2020, Global, Regional, and Local Dynamics in the Yemen Crisis, Palgrave Macmillan, 2020. DOI: 10.1007/978-3-030-35578-4, p.19

²¹⁶ Ibid, p.119

²¹⁷ Ibid ,p.220

²¹⁸ Daniel E, Trevor, J. Ashley L. R, Eric R, Building an Enduring Peace in Yemen: Lessons from Five Years of RAND Research, RAND cooperation, 2021 URL:

https://www.rand.org/content/dam/rand/pubs/research_reports/RRA700/RRA733-1/RAND_RRA733-1.pdf [Accessed Date: 26 April 2021], pp.2-6

structural problems of the issues such as not being able to determine the form of a future government and the provisions for transnational justice.²¹⁹ Although the GCC initiative called out discussions to bring the political parties together with the social groups, women and the youth to conduct a presidential election by 2014, it did not conduct as it had been expected. So, it was criticized greatly as being supported by the Gulf and western countries. It raised suspicion on many Yemenis, youth movements and southern separatist groups on the UN movements, simultaneously with the GCC initiatives. So, it is regarded that the National Dialogue process is not necessarily a reform for the prevailing tradition and the corruption in Yemen politics, rather it fortifies the existing condition.²²⁰ The year 2014 is considered as the official beginning of the Yemen civil war when the Houthis seized the capital Sanaa, whereas in 2015 Saudi Arabia entered the war turning the armed conflict into a proxy war. Although the UN resolution 2201 acknowledged the situation, it insisted yet on adhering to the GCC initiatives.²²¹ Nevertheless, the deployment of air power by Saudi led coalition, the intrastate conflict among the militias and the state security forces depicted the failures in the UN mediation process in efforts to direct the parties to find a peaceful resolution to the problem.²²² With the time being the positions and the battle line of the disputant parties fixed and it is noteworthy that the Houthis positions have spread largely across the strategic locations of the country. It raised the need for exceptional political skills from the mediators.²²³

Subsequently, with the advent of UN resolution 2216 in 2015, Hadi's government was in the position that any agreement between the parties needs to be built upon the foundations of this resolution. The UN resolution 2216 calls the Houthis to surrender their arms and to allow the government to rule Sanaa. In 2016 UN-brokered Kuwait talks resulted in making a draft agreement based on this UN Security Council Resolution (2216), where it depicted minority Houthi role in government while taking initiatives to open the way to national elections.²²⁴

Accordingly, some clauses of this resolution can be elaborated as follows:

²¹⁹ Lackner, H, Day S. W, Brehony .N, 2020, Global, Regional, and Local Dynamics in the Yemen Crisis, Palgrave Macmillan, 2020. DOI: 10.1007/978-3-030-35578-4, p.19

²²⁰ Bennett, C. Planning Ahead for a Post conflict Syria: Lessons from Iraq, Lebanon, and Yemen. Report. International Peace Institute, 2013. URL: <http://www.jstor.org/stable/resrep09598.7>. [Accessed Date: 7 May 2021], pp10-12

²²¹ Lackner, H 2020 *op-cit* p.19

²²² Daniel E, Trevor J, Ashley L. Rhoades, E R, 2021, *Op-cit*, P.2

²²³ Ibid p.6

²²⁴ ICG, Rethinking Peace in Yemen, Report , No:216 , Middle East & North Africa, International Crisis Group, 2 July 2020, URL: <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/216-rethinking-peace-yemen> [Accessed Date: 10 July 2020], p.i

“*Recalling* the resolution of Summit XXVI of the League of Arab States on the developments in Yemen, stressing inter alia the necessity to resume Yemen’s political transition process with the participation of all Yemeni parties in accordance with the Gulf Cooperation Council Initiative and its Implementation Mechanism and the outcomes of the comprehensive National Dialogue conference,”²²⁵

“*Reaffirming* its support for the legitimacy of the President of Yemen, Abdo Rabbo Mansour Hadi.....,”

“*Deploing* any attempt by the Houthis to take actions that are exclusively within the authority of the legitimate Government of Yemen, and *noting* that such actions are unacceptable”

Here it is clear that the resolution allows the intervention of the Saudi led coalition by stressing on reaffirming its support to the legitimacy of the Hadi regime and condemning the violent action of the Houthi secessionist group. Also, it highlights the importance of returning to the GCC agreement along with the outcomes of the National Dialogue Conference where it further facilitates the UN mediation mechanism from the Secretary-General.²²⁶ However, this insists on the Hadi’s legitimacy in returning into power under the Resolution 2216 is debatable, as he has been expelled from Yemen and he hardly had been there in that land and his government does not have the governing power in so-called liberated areas, since most parts of the country are under the control of insurgency groups or tribal groups. So, the UN faces the issue of dealing with a government that does not have considerable authority and legitimacy over the state, although the Hadi government has international recognition.²²⁷ It is noteworthy that the disagreement raised between the Russian Federation and the other members of the Security Council regarding this resolution. Russia has abstained from voting the resolution after putting forward its draft version acknowledging the necessity of all the parties in ceasing the violence rather than only blaming the Houthis. So, this is recognized as being biased on the resolution that has

²²⁵ UN Security Council, Resolution 2216 (2015), United Nations Security Council, 14 April 2015, S/RES/2216, United Nations Security Council, 2015, URL: <http://unscr.com/en/resolutions/2216> [Accessed Date: 26 January 2021]

²²⁶ Lackner, H, Why can’t the United Nations bring peace to Yemen? 6 January 2018, URL: <https://www.opendemocracy.net/en/north-africa-west-asia/why-can-t-united-nations-bring-peace-to-yemen/> [Accessed Date: 10 July 2020]

²²⁷ Ibid

been identified even in the circles beyond the UN. Eventually, it turned out to be a resolution that does not support the peace process.²²⁸

Concerning the arms embargo, paragraph 14 of the UNSC Resolution 2216:

*“Decides that all Member States shall immediately take the necessary measures to prevent the direct or indirect supply, sale or transfer to, or for the benefit of Ali Abdullah Saleh, Abdullah Yahya Al-Hakim, Abd Al-Khaliq Al-Huthi, and the individuals and entities designated by the Committee established pursuant to paragraph 19 of resolution 2140 (2014) from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types, - ----- and spare parts for the aforementioned, and technical assistance, training, financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel whether or not originating in their territories”*²²⁹

This shows a direct limitation to the military actions in Yemen while constraining the military support from any regional or international entity (either directly or indirectly) while stressing the fact of protecting the territorial integrity of Yemen.²³⁰

In 2015, Ismail Ould Cheikh Ahmed was appointed as the UN special envoy to Yemen, who has previous experience of being a resident in Sanaa. At that time, the Special Envoy has been marginalized for making its decision in favour of the Saudi led coalition states which have been backed by the United States.²³¹ Nevertheless during his time of being a special Envoy, United Nations has been able to bring the disputant parties to the negotiating table in Geneva, Biel and Kuwait in the period between 2015-2016. Out of them, Kuwait negotiations were the longest one which addressed the five main areas namely: withdrawal of armed groups; abandoning of heavy weapons; restoring political dialogues; security management; and establishment of a committee on managing prisoners and detainees.²³² Accordingly, UN special envoy Ismail Ould Cheikh Ahmed has been able to arrive at five ceasefire agreements and prisoner’s exchange initiatives which existed for only a short period

²²⁸ Lackner. H, Day S. W, Brehony .N, 2020, Global, Regional, and Local Dynamics in the Yemen Crisis, Palgrave Macmillan,2020. DOI: 10.1007/978-3-030-35578-4,p.23

²²⁹ UN Security Council, Resolution 2216 (2015), United Nations Security Council, 14 April 2015, S/RES/2216,United Nations Security Council, 2015,URL: <http://unscr.com/en/resolutions/2216>. [Accessed Date: 26 January 2021]

²³⁰ Naji.M, and Jalal.I, , Building peace by restricting arms in Yemen,Middle East institute, January 25, 2021, URL:<https://www.mei.edu/publications/building-peace-restricting-arms-yemen> [Accessed Date: 06 May 2021]

²³¹ Lackner. H, Day S. W, Brehony .N, 2020, Global, Regional, and Local Dynamics in the Yemen Crisis, Palgrave Macmillan,2020. DOI: 10.1007/978-3-030-35578-4,p.23

²³² Ibid ,p.24

of time. Similarly, four round table discussions were held but it did not bear a fruitful outcome.²³³ Because of the constraints imposed by the UNSC resolution 2216, it has made a direct impact on the UN-sponsored negotiations. By 2017 UN attempts in implementing a resolution faced a systemic failure due to the pressure from Saudi Arabia. Then the pause of UN actions for about 14 months following the ceasing of cooperation of Houthis with the special Envoy, with the accusation towards him for being biased on Hadi. In 2018 February he resigned.²³⁴

Consequently, in 2018, the new and the current UN special envoy Martin Griffith has come into the office. His concentration on preventing the offensive actions in Al-Hodeida and the particular disagreement raised in the Security Council regarding that is noteworthy.²³⁵ Also his attempt at holding UN-supported Geneva talks between the Houthis and the Hadi government was in failure due to the inability of guaranteeing safe travel for the Houthis. However, Griffith is successful in bringing Houthis to the negotiating table, while keeping regular contacts with the group leaders, in a circumstance where Houthis were refused to come into the discussion table with the former envoy-Ismail Ould Cheikh Ahmed, over half a year.²³⁶ According to Griffith, he insisted that he will continue his work following the GCC initiative and as well as that he would continue to use UN resolution 2216. But it is considered that adhering to those two frameworks will limit the prospects of conducting an integrated level of cooperation with the disputants.²³⁷ Nevertheless the special envoy continues his work in negotiating agreements and joint declarations focusing on nationwide ceasefire, economic and humanitarian assistance in alleviating the prevailing poverty conditions while continuing the attempts to engage with the government of Yemen and Ansar Allah. Also, he has been engaging with political groups, civil society groups, Women groups to resume the political reconciliation process.

238

²³³ Palik,J, Rustad S.A, Mediation in the Yemeni Civil War: Actors, outcomes, and lessons learned, Conflict Trends 05, Peace Research Institute Oslo (PRIO), May 2019, URL: <https://mideast.prio.org/utility/DownloadFile.ashx?id=2&type=publicationfile> [Accessed Date: 29 April 2021],p.02

²³⁴ Lackner, H. Day S. W, Brehony .N, 2020,*op-cit* ,p.26

²³⁵ Ibid ,pp.25-26

²³⁶ Asseburg .M, Lacher.W and Transfeld.M, , Mission Impossible? UN Mediation in Libya, Syria and Yemen, SWP Research Paper 8, German Institute for International and Security, 2018 October.,pp.10-11

²³⁷ Ibid, p.56

²³⁸ OSESGY,Newsletter Issue #1, 2020 July- September URL: <https://sway.office.com/HF1tQbsqVfloEVCC?ref=email> [Accessed Date: 09 May 2021]

With the refusal of Houthis participation in Switzerland peace talks claiming that their travel has been restricted by Saudi Arabia and following the two years pause, by 2018 UN Special Envoy for Yemen, Martin Griffiths has been able to initiate new discussions in Sweden²³⁹ The meeting was held with the participation of the UN Secretary-General António Guterres, and as an outcome of it, the Stockholm agreement was produced.²⁴⁰ It was formed as a result of these discussions which consisted of the following clauses: ceasefire and prisoner's exchanges; opening humanitarian corridor in Taiz port and inspection of three red ports namely- Hodeidah, Al-Salif, and Ras Is.²⁴¹ Accordingly this Stockholm agreement comprised three main parts: The prisoner's deal; The Hodeida Agreement and the Taiz understanding. It basically focused on prisoner's exchange, about the Hodeida, Ras Issa and Salif ports to govern upon the signed agreement (i.e. directing the revenue of the ports to the Yemen central bank) and a comprehensive understanding agreement with the civil society and joint committee participation. Also, it indicates the military arrangements where the parties agree to get rid of military reinforcement in the city.²⁴²

In 2019, the situation remained worse, despite the initial steps of implementing the Stockholm agreement in 2018. The development of fighting with the intensified rivalries in the South of Yemen among and within the anti-Houthi coalitions has further escalated the tensions. In 2019, Riyadh Peace Deal which supplemented with the potentials for political settlements in Yemen remains a challenge with the persistence of disputes within and among the disputant coalitions.²⁴³ UN mission on supporting the AL Hodeida Agreement (UNMHA) which proceeds the UNSC resolution 2451 and 2452 is concentered on a limited scope. Although the fighting in Al Hodeida has dropped relatively, the other features of the agreement were less successful. There was a lack of progress in the Redeployment Coordination Committee (RCC) which was established in 2018 December. It led to infiltrate the implicit threats from the Quad of states, the US, the UK, Saudi Arabia, and the United Arab Emirates (UAE) and the eventual unilateral withdrawal of Houthis from the port has been criticized by Hadi as a trick played by the UN special envoy, since they did not participate in

²³⁹ Palik.J, Rustad S.A, Mediation in the Yemeni Civil War: Actors, outcomes, and lessons learned, Conflict Trends 05, Peace Research Institute Oslo (PRIO), May 2019, URL:

<https://mideast.prio.org/utility/DownloadFile.ashx?id=2&type=publicationfile> [Accessed Date: 29 April 2021],p.02

²⁴⁰ Lackner. H, Day S. W, Brehony .N, 2020, Global, Regional, and Local Dynamics in the Yemen Crisis, Palgrave Macmillan,2020. DOI: 10.1007/978-3-030-35578-4,p.27

²⁴¹ OSESGY, Stockholm Agreement, 2018 December, URL: <https://osesgy.unmissions.org/full-text-stockholm-agreement> [Accessed Date: 16 October 2020]

²⁴² Lackner, H, Day S. W, Brehony .N, 2020 *op-cit* ,p.27

²⁴³ SIPRI yearbook- 2020, Armed conflict and peace processes in the Middle East and North Africa,Stockholm International Peace Research Institute, 2020 URL: <https://sipri.org/yearbook/2020/06> [Accessed Date: 24 April 2021]

monitoring the situation on the ground. Then the UN Secretary-General condemned Hadi's personal letter demanding the removal of special Envoy Griffith, for not engaging with the internationally recognized government under the UNSC resolution 2216. There he further mentioned his consent to allow and support the initiatives of the special envoy to conduct constructive discussions with parties to the conflict.²⁴⁴

The brief account of agreements reached in 2019-2020 by the parties in the conflict in this UN mediation process of this intrastate conflict in Yemen can be described as follows:

Riyadh agreement, 2019 November has been signed between the internationally recognized, legitimate government of Yemen, Southern Transitional Council (STC) which is focused on the intrastate level of the conflicts. This is a partial and substantive agreement where the parties agree to essential issues in resolving the conflict while dealing with some other issues based on possible future agreements.²⁴⁵ The related documents can be described further as follows:

-Document of Reconciliation between areas of al-Mahariq and al-Saliyah, Sheikh Othman, Aden, 2019 April, which is focused on the local level of the conflict, as the form of a ceasefire related agreement that demobilize or monitor or extend the ceasefire arrangements.²⁴⁶

-Document of Reconciliation and Forgiveness between the Families of the Al Ali bin Ahmad Al Awlaqi Clan., 2019 April which is also focused on the local level of the conflict. It is in the form of a substantive agreement that is set out to make comprehensive attempts to resolve the conflict.²⁴⁷

-United Nations Security Council Resolution 2452, 2019 January- The agreement is concerned with the intrastate level of the conflict and it is related to ceasefire where it is related to the demobilizing, monitoring or the extension of ceasefire.²⁴⁸

-The Prisoners' Exchange Agreement. 2020 September- An intrastate level agreement which is co-chaired by the office of United Nations Secretary General's Special Envoy to Yemen and that of the

²⁴⁴ Lackner. H, Day S. W, Brehony .N, 2020, Global, Regional, and Local Dynamics in the Yemen Crisis, Palgrave Macmillan, 2020. DOI: 10.1007/978-3-030-35578-4, p.28

²⁴⁵ Davis .I and Ijn, J.V.D, Global developments in armed conflict, peace processes and peace operations. 2020, URL:https://www.researchgate.net/publication/350107183_Global_developments_in_armed_conflictpeace_processes_and_peace_operations [Accessed Date: 04 May 2021], pp. 41-42,

²⁴⁶ Ibid Pp. 41-42,

²⁴⁷ Ibid Pp. 41-42,].

²⁴⁸ Ibid Pp. 41-42

International Committee of Red Cross (ICRC) where the parties agreed to release 1,081 conflict-related individuals, per the lists of agreed-upon names.²⁴⁹

By the beginning of 2020 when a new wave of violence hit Yemen, the UN special envoy of the Secretary-General has made efforts through mediation to reach an agreement to commit the parties into a nationwide ceasefire to de-escalate the conflict. Here the battle of Ma'rib was in focus due to its political importance. It made a ripple effect on the dynamics of the Yemen conflict.²⁵⁰ In his briefings to the Security Council, Martin Griffith mentioned that "And if Ma'rib falls, simply put, this would undermine prospects of convening an inclusive political process that brings about a transition based on partnership and plurality,"²⁵¹

Ever since the outbreak of the COVID -19 pandemic, the UN special envoy made steps to bring about a nationwide ceasefire accompanied by confidence-building measures. This effort is presented in the form of a Joint Declaration between the Houthis and the legitimate government of Yemen. The content of it is considered to further normalize the existing situation without any new content. Accordingly, the leaked version of the Joint Declaration has addressed the political, economic, environmental, health, security and humanitarian aspects. It includes several sub-proposals based on: "nationwide cease-fire, a U.N. led cease-fire monitoring team, a resource-sharing arrangement, maintenance of the floating storage and offloading unit in Safer and the Marib-Ras Isa pipeline, reopening Sanaa International Airport for commercial flights, payment of salaries, the formation of a joint COVID-19 committee, easing the collection of revenues from Hodeida's ports, and the resumption of peace negotiations."²⁵² The international signatories who expressed their support to this declaration includes- the permanent members of the UN Security Council, Sweden Kuwait and Germany.²⁵³ However, over a decade, the Yemen problem is taking different dynamics with the multiplication of state and non-state actors involved in the conflict; and the proliferation of acquisition of arms (both conventional and non-conventional) amidst the United Nations actions of mediation.²⁵⁴

²⁴⁹ UN, Yemen's warring parties agree to free more than 1,000 prisoners, UN news, 2020 September URL: <https://news.un.org/en/story/2020/09/1073972>[Accessed Date: 06 May 2021]

²⁵⁰ OSESGY,Newsletter Issue #1, 2020 July- September URL: <https://sway.office.com/HF1tQbsqVfloEVCC?ref=email> [Accessed Date: 09 May 2021]

²⁵¹ Ibid

²⁵² Jalal.I, , Yemen's Joint Declaration: A bigger repeat of the stalled Hodeida Agreement?,Middle East Institute, March 4, 2021, URL: <https://www.mei.edu/publications/yemens-joint-declaration-bigger-repeat-stalled-hodeida-agreement/>[Accessed Date: 06 May 2021]

²⁵³ Ibid

²⁵⁴ Naji.M, and Jalal.I, , Building peace by restricting arms in Yemen,Middle East institute, January 25, 2021, URL:<https://www.mei.edu/publications/building-peace-restricting-arms-yemen> [Accessed Date: 06 May 2021]

2.2 Analyzing successes, failures and blind spots of the UN mediation actions and its outcomes in the Yemen conflict

Yemen conflict is categorized as a major²⁵⁵ intrastate armed conflict²⁵⁶ which is fighting with explicit political goals and also has been internationalized by spilling it outside the borders recording more than 25,900 fatalities.²⁵⁷ UN mediators have created a venue for the disputant parties to exchange their political, economic and security demands to clarify their interests.²⁵⁸ United Nations mediation actions and decisions are more concerned with the political progress and humanitarian conditions on the ground.²⁵⁹ Even though the UN efforts made occasional successes, the conflict remains elusive.

Nevertheless, the situation of arms control in Yemen can be described as follows: In accordance to the chapter VII of the UN charter where defines the situations which is considered as a crisis situation can be an 'act of aggression', a 'breach of the peace' or a 'threat to the peace' (article 39)²⁶⁰. So, the United Nations Security Council resolution 2216 which is under the provisions of chapter VII impose an arms embargo to the conflicting parties whereas the persistence of weak arms control measures taken by the United Nations is an impediment for a peaceful resolution on the ground.²⁶¹ Although paragraph 14 of the resolution mentioned the direct or indirect supply and prohibition of using, selling or transferring arms, the situation on the ground seems not in accordance with that phrase, where there is no adequate attention from the international community or the United Nation has been given for limiting and preventing or taking measures to detect the supply, usage or distribution of arms, equipment or ammunitions among the disputant parties.²⁶² Given the involvement of Saudi led coalition since 2015 in the Yemen conflict, purchasing arms by Saudi Arabia is worth noting. It has recorded that G20 arms export to Saudi Arabia has been three times increased since 2015 and it is US\$17bn worth, while these figures have been raised the figure of \$17bn rises to at least US\$31.4bn

²⁵⁵ 10 000 or more deaths

²⁵⁶ Taking place within the country between government forces and one or more armed non-state groups

²⁵⁷ Davis .I and Iijn, J.V.D, Global developments in armed conflict, peace processes and peace operations. 2020, URL:https://www.researchgate.net/publication/350107183_Global_developments_in_armed_conflictpeace_processes_and_peace_operations [Accessed Date: 04 May 2021],, P29

²⁵⁸ Ibid, p32

²⁵⁹ Naji.M, and Jalal.I, , Building peace by restricting arms in Yemen,Middle East institute, January 25, 2021, URL:<https://www.mei.edu/publications/building-peace-restricting-arms-yemen> [Accessed Date: 06 May 2021]

²⁶⁰ Fretter, J., International organizations and conflict management: the United Nations and the mediation of international conflicts", in Bercovitch, J. (Ed.), Studies in International Mediation, Palgrave Macmillan, London, 2002,,p.108

²⁶¹ Naji,M and Jalal,,I January 25, 2021, *op-cit*

²⁶² Ibid

between 2015 and 2019 according to the SIPRI's Arms Transfers Database.²⁶³ Therefore it can be said that the prolongation and aggravation of the Yemen conflict is driven by the features of supportive armed interventions for the conflicting parties, with the significant military and weapons training for the disputing parties by the foreign state or non-state actors.²⁶⁴

Apart from disarmament, such UN-supported peacebuilding measures typically include: "demobilization and reintegration (DDR) of former combatants; ceasefire negotiations; signing of peace agreements; multilateral peace operations; power-sharing arrangements; and state-building measures"²⁶⁵

In the earlier period, the United Nations was in the process of holding national-level discussions since they believed that it was a sharp way to end the conflict. So, it limited its mediation efforts to conduct discussions with the internationally recognized government of Hadi, the Houthi group, and with the loyalists of the former president Saleh. This has been highlighted in the UNSC resolution 2216 wherein Kuwait talks, as it was limited to a two-parties' talk. Accordingly, the UN focuses on areas of confidence-building measures, ceasefire, political settlements between the main two parties of the conflict to bring down the violence and humanitarian development on the ground.²⁶⁶

The enumeration of tribes in Yemen depicts the internal division along with the political lines on the ground. They build up their customary law preventing the further spread of the violence whereas tribal mediation helps to mitigate the further escalation of violence at the local level. But, these groups perceive that the current solutions proposed by the UN special envoy integrate the military gains of Houthis at the expense of tribal groups like them.²⁶⁷ Nevertheless, there is a growth of special interest among the Special Envoy of the Secretary-General for Yemen (OESGY), Western diplomats, and Western-funded organizations to investigate the prospects on the role that those tribal groups can play

²⁶³ Grainger, S, G20 arms exports to Saudi Arabia worth three times aid to Yemen since 2015 – Oxfam, 2020 November, URL: <https://reliefweb.int/report/yemen/g20-arms-exports-saudi-arabia-worth-three-times-aid-yemen-2015-oxfam> [Accessed Date: 05 May 2021]

²⁶⁴ Davis .I and Iijn, J.V.D, Global developments in armed conflict, peace processes and peace operations. 2020, URL:https://www.researchgate.net/publication/350107183_Global_developments_in_armed_conflictpeace_processes_and_peace_operations [Accessed Date: 04 May 2021],p.32

²⁶⁵ Ibid, Pp. 42-43,

²⁶⁶ ICG, The Case for More Inclusive – and More Effective – Peacemaking in Yemen, Report No.221 Middle East & North Africa, International Crisis Group, 2021 March, URL:<https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/221-case-more-inclusive-and-more-effective-peacemaking-yemen>, [Accessed Date: 6 May 2021] pp 7-8

²⁶⁷ Al-Dawsari, N, Peacebuilding In The Time Of War: Tribal Cease-Fire & De-Escalation Mechanisms In Yemen, The Middle East Institute, April 2021, URL: <https://www.mei.edu/sites/default/files/202104/Peacebuilding%20in%20the%20Time%20of%20War.pdf> [Accessed Date: 26 April 2021] p.5

in ending the conflict, due to some the failures of negotiations between the Yemen government and the Houthis rebels.²⁶⁸

In Yemen, war and political prisoners; the civilian detainees are the main entities in this humanitarian crisis.²⁶⁹ Four Security Council resolutions (2216, 2451, 2140, and 2564) in line with the Stockholm agreement covers this issue. In the recent prisoner's exchange event UN special envoy martin Griffith mentioned that:

“It will also send an important message about the conflict. It will indicate that when you show good faith, peaceful negotiations can succeed in bringing relief to the Yemeni people and building confidence for the peace process.”²⁷⁰

Furthermore, this a joint efforts of the International Committee of the Red Cross (ICRC) enabling to bring the Saudi led coalition to the negotiating table through the Supervisory Committee on the Implementation of the Prisoners' Exchange Agreement.²⁷¹

Amidst the UN engagement with these tribal groups since 2015, both sides have achieved considerable success in the prisoner's exchange mechanism.²⁷² Usually these prisoner's exchanges are negotiated by the tribal leaders, who are considered to be a neutral party. There is a preconceived notion that the UN-brokered Stockholm agreement is politicizing the prisoner's exchange while it does not distinguish the civilian abductees and the prisoners of war. The monopoly over the process has been given to the UN and it conducts through the mechanism of the UN special envoy mediation. So, this is considered as a barrier to the local level exchanges that used to have in accordance with the opinion of several such mediators.²⁷³ Added to that another reason for the hindrance in the progress of UN like such internationally mediated parties in its engagement in exchanging prisoners and detainees is that, they tend to limit themselves onto a pre-identified list of prisoners or detainees, instead of addressing the root cause of non-implementation of previous agreements. The recently drafted Joint declaration

²⁶⁸ Ibid p.6

²⁶⁹ Al-Thawr, L.L Yemen's prisoners of war and detainees: Lessons learned from local mediation, Middle East Institute, March 17, 2021 URL: <https://www.mei.edu/publications/yemens-prisoners-war-and-detainees-lessons-learned-local-mediation> [Accessed Date: 5 May 2021]

²⁷⁰ OSESGY, Newsletter Issue #1, 2020 July- September URL: <https://sway.office.com/HF1tQbsqVfloEVCC?ref=email> [Accessed Date: 09 May 2021]

²⁷¹ Ibid

²⁷² Al-Dawsari, N, Peacebuilding In The Time Of War: Tribal Cease-Fire & De-Escalation Mechanisms In Yemen, The Middle East Institute, April 2021, URL: <https://www.mei.edu/sites/default/files/202104/Peacebuilding%20in%20the%20Time%20of%20War.pdf> [Accessed Date: 26 April 2021] p.15

²⁷³ Ibid p.15

does not address this issue and instead, it refers to the previous mechanism in the Stockholm agreement which lacks the realistic procedures in conducting prisoner's swaps is a prominent example for that.²⁷⁴

Apart from that UN is Continuing to follow the framework set out in resolution 2216 initiated by the Gulf Cooperation Council, National Dialogue Conference and the UN security council, in 2015, where it assures that the Yemen political process depends on the support given by the Yemen government and the Houthi movement.²⁷⁵

*“Urges all opposition groups to commit to playing a full and constructive part in the agreement and implementation of a political settlement based on the Gulf Cooperation Council initiative, and demands that all opposition groups refrain from violence, and cease the use of force to achieve political aims;”*²⁷⁶

But this is considered as a false and unproductive attempt of the UN in its mediation process since the UN has hardly made any progress in its peace talks with these parties.²⁷⁷ Also UN has been unable to recognize the limited legitimacy vested upon the Hadi government, where it can make a marginal influence over the actors in the conflict, in a circumstance where the Southern Transitional movement has already rejected the National Dialogue totally.²⁷⁸ Added to that the Kuwait talks which followed the framework of resolution 2216 have focused on getting the parties to agree on confidence-building in a sequence with the measures of ceasefire agreements, which made a disagreement among the parties. Here, Houthis insist that lifting restrictions imposed by the coalition needs to be the next action to be taken after the ceasefire program instead of moving on to confidence-building measures.²⁷⁹ The

²⁷⁴ Al-Thawr, L.L Yemen's prisoners of war and detainees: Lessons learned from local mediation, Middle East Institute, March 17, 2021 URL: <https://www.mei.edu/publications/yemens-prisoners-war-and-detainees-lessons-learned-local-mediation> [Accessed Date: 5 May 2021]

²⁷⁵ Asseburg .M, Lacher.W and Transfeld.M, , Mission Impossible? UN Mediation in Libya, Syria and Yemen, SWP Research Paper 8, German Institute for International and Security, 2018 October, p.55

²⁷⁶ UN Security Council, Resolution 2140 (2014), United Nations Security Council, S/RES/2140 (2014), 26 February 2014, 26 February 2014, S/RES/2140 (2014), URL: <http://unscr.com/en/resolutions/2140> [Accessed Date: 06 May 2021], P.3

²⁷⁷ Asseburg, M. Lacher,W and Transfeld, M, 2018 October, *op-cit* pp.10-11

²⁷⁸ Ibid, p.55

²⁷⁹ ICG, Rethinking Peace in Yemen, Report , No:216 , Middle East & North Africa, International Crisis Group, 2 July 2020, URL: <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/216-rethinking-peace-yemen> [Accessed Date: 10 July 2020]

usage of coercive measures such as sanctioning is also not effective and counter-productive in Yemen.²⁸⁰

The blank space has been created in the UN mediation process with the emergence of a new status quo and hence the premises behind the inclusive peace talks between the major two parties to the conflict has been fading eventually.²⁸¹ Accordingly, it has been identified that the exclusion of non-combatants (civil society, women, social groups etc.) from the mediation process hinders the progress of negotiations.²⁸² During the periods of Special envoy Jamal Benomar, included 30 percent of the quota of women at the National Dialogue Conference. But in 2016 UN-led talks in Kuwait were conducted only with the participation of three women delegates while no women were involved in Riyadh agreement negotiations in 2019.²⁸³ As confidence-building measures, the UN has adopted key local actions such as prisoner release and reopening of infrastructure facilities where civil society groups complain the UN for not considering their engagement in those areas despite the considerable or zero progress of these efforts. For example, the 2018 Stockholm agreement depicted limited UN involvement over Taiz without implementing new mediation mechanisms for such confidence-building measures (i.e. Prisoners exchange). By 2020 there was little progress since the main two conflicting parties are expecting maximum possible leverage through UN-led negotiations.²⁸⁴

However, it has identified that the UN is swiftly pushing to implement the agreements without properly identifying the main actors and hence there is insufficient support from the local actors and it is balanced by the international legitimacy gained from the UN Security Council. In this process of rapid implementation of agreements, ultimately it turned out to be unsuccessful. It is reflected by the little leverage of external actors over the conflicting parties and the failure of being able to use the leverage they had. So, these insufficiently inclusive agreements become difficult to be implemented, eventually turning the UN as a supporter to one side instead of the mediating party.²⁸⁵

²⁸⁰ Asseburg .M, Lacher.W and Transfeld.M , Mission Impossible? UN Mediation in Libya, Syria and Yemen, SWP Research Paper 8, German Institute for International and Security, 2018 October,p.6

²⁸¹ ICG, The Case for More Inclusive – and More Effective – Peacemaking in Yemen, Report No.221 Middle East & North Africa, International Crisis Group, 2021 March, URL:<https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/221-case-more-inclusive-and-more-effective-peacemaking-yemen>, [Accessed Date: 6 May 2021]

²⁸² Ibid P 2

²⁸³ Ibid, P 7

²⁸⁴ Ibid, P 15

²⁸⁵ Asseburg .M, Lacher.W and Transfeld.M , Mission Impossible? UN Mediation in Libya, Syria and Yemen, SWP Research Paper 8, German Institute for International and Security, 2018 October,p.6

Added to that, the UN effort in including civil society activists, women and other social groups in its negotiation process is a debatable factor. UNSC agreement 2216²⁸⁶ is imprinted about the necessity of including women and other civil society groups in the negotiation table. Accordingly, the UN formed a technical advisory group of women to attend Sweden talks under the advice of the Special envoy Martin Griffith. But this group has complained about not using them adequately by the UN and the final agreement does not consist of their inputs. Also, there is a complaint to the UN for not coordinating the track II discussions conducted with the civil society groups and as well as the exclusion of a range of youth groups from discussions. So, there is an inadequacy of Yemen local level discussion groups and that of the international level representation.²⁸⁷

Furthermore, an analysis by Mancini et al.(2016) based on the United Nations mediation under the Special envoy-Benomar can be elaborated here to gain an overview of how the success and failures of UN efforts can be evaluated based on the role played by the special envoy. Jamal Benomar conducted a complex transition process in Yemen. Through the GCC council initiatives during his time, he has been able to make efforts by connecting the civil society on the Yemeni grounds by including women, children, youth and southerners in the National Development Council. This reflected his inclusive progress of being able to reach out to a wide range of stakeholders.²⁸⁸ Also it is insisted that he has a comprehensive understanding of the UN system where he was able to make successful coordination with the UN Security Council. But in his time the support from the international community was not visible.

²⁸⁶ *Further requests* the Secretary-General to intensify his good offices role in order to enable a resumption of a peaceful, inclusive, orderly and Yemeni-led political transition process that meets the legitimate demands and aspirations of the Yemeni people, including women, for peaceful change and meaningful political, economic and social reform, as set out in the Gulf Cooperation Council Initiative and Implementation Mechanism and the outcomes of the comprehensive National Dialogue conference (S/RES/2216 (2015) 15-05874 5/7

²⁸⁷ ICG, *Rethinking Peace in Yemen*, Report , No:216 , Middle East & North Africa, International Crisis Group, 2 July 2020, URL: <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/216-rethinking-peace-yemen>[Accessed Date: 10 July 2020],p.30

²⁸⁸ Mancini, F., & Vericat, J. *Lost in Transition: UN Mediation in Libya, Syria, and Yemen*. International Peace Institute. 2016, pp. 5-13, URL: <http://www.jstor.org/stable/resrep09641.6> [Accessed Date: 10 January 2021],p.11

In the interview with Melissa Fleming UN special envoy, Martin Griffiths has insisted that:

“...the job of a mediator,....., is to infuse hope into people, to say there can be a solution to this, to come up with ideas as to how they might resolve their inevitable differences. And to give some kind of sense of vision to the people of Yemen”²⁸⁹

Also, the interview highlights the fact that being an experienced person Martin Griffiths has already had 20 years of mediation experience in world decisive crises such as Indonesia, in Aceh, the conflict in Basque, Jordan etc. Accordingly, he insists that:

“The last 20 years, mediation has become much more considered activity..., it's become not professionalized rather diminish it. But it's become understood better, more recognized as an important craft with certain principles and certain values. And therefore, as a result of that has become more equitable, which is crucial, but also more likely to have an impact.” ²⁹⁰

Here it indicates that he is applying his past experiences and lessons in the current mediation process in Yemen as well. Higher leverage upon the mediator rather than the authority that vested upon him being a representative of the UN.

By depicting the fact of empathy in mediation he insists that:

“I think, because what a mediator has to do, of course, is to put her, or himself, into the minds of the leaders in war, and try to figure out why they're doing certain things. And perhaps more importantly, try to imagine how they might do something differently, how they might actually do the right thing at last.....try to see what would appeal to them is what I think a mediator has to do.” ²⁹¹

Also through that interview, it can sense a nuance of the Envoy's determination to hanging on to the mediation process expecting a positive outcome:

“...don't opine when things go wrong. Your job, my job is to keep moving and to keep trying. So 90% of things going wrong are real,But then you're lucky to have a chance to do something about a war.” ²⁹²

²⁸⁹ UN, Martin Griffiths Interviewed By Melissa Fleming, S3-Episode 13: All You Have to do is Your Best, United Nations, 2020 November, URL: <https://www.un.org/en/awake-at-night/S3-E13-all-you-have-to-do-is-your-best> [Accessed Date: 09 May 2021]

²⁹⁰ Ibid

²⁹¹ Ibid

²⁹² Ibid

This reflects the qualities of a mediator which is a feature that affects the outcomes of the mediation procedure. The personal characteristics of the mediator such as stamina, positive attitude, empathy and energy are depicted from his speech. Accordingly, these facts have the prospect to make a direct influence on the status of results in the UN mediation process in a positive manner.

However, so far, UN-led peace talks have been struggling to get traction. 2015 Geneva talks were indecisive with the refusal of parties to sit together at the negotiating table. Also, the ceasefire implemented by the UN in 2015 and 2016 has been subjected to immediate and serious violation by both parties. The UN changed its direction of mediation towards crisis management by 2018, instead of driving towards real peace. The 2018 Stockholm agreement and 2019 Riyadh agreement depicts this change of direction in the mediation process. Riyadh agreement which is considered as a reconciliation between the coalitions of allies is considered as a failure.²⁹³ However, the UN has been successful in establishing a direct communication line between the Houthi and Saudi led coalition by unlocking the conflict.²⁹⁴

Despite that fact, Yemen appeared to be a continuation of the Arab Spring, it failed to mature due to factional divisions that enabled regional powers and terror groups to force a brutal civil war which resulted in a humanitarian disaster on the ground. The Security Council seems to be united in its reaction, but that did not help because parties to the conflict believe that those measures are biased. For example, Houthis insist that Security Council sanctions are levied aiming only at their side. It is expected that the UN envoy's neutral mediation might establish an inclusive democratic and transparent constitutional structure, but still, it fell apart due to the opposing sides' desire for political dominance rather than reconciliation.²⁹⁵ In his recent briefings to the Security Council, Martin Griffith mentioned that in line with the uncontrolled spread of the COVID-19 pandemic, the economic decline

²⁹³ Daniel E, Trevor, J. Ashley L. R, Eric R, Building an Enduring Peace in Yemen: Lessons from Five Years of RAND Research, RAND cooperation, 2021 URL: https://www.rand.org/content/dam/rand/pubs/research_reports/RR700/RR733-1/RAND_RRA733-1.pdf [Accessed Date: 26 April 2021], p.8

²⁹⁴ ICG, Rethinking Peace in Yemen, Report , No:216 , Middle East & North Africa, International Crisis Group, 2 July 2020, URL: <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/216-rethinking-peace-yemen> [Accessed Date: 10 July 2020], p.20

²⁹⁵ Murthy, C.S.R, United Nations and the Arab Spring: Role in Libya, Syria, and Yemen, Contemporary Review of the Middle East 5(2), 2018, DOI: 10.1177/2347798918762198, p233

continued while escalations will be prolonged. But as per him, if parties are willing to make the necessary compromises, it will open the path for productive and successful future negotiations.²⁹⁶

Accordingly, the UN has been able to open the stage for negotiations at a one discussion table for the conflicting parties opening their communication lines which are a great success. It has been able to identify the nature of the conflict in the Yemeni ground that the conflict is in the severe status where it needs the international attention through the measures taken by the implementation of Security Council resolutions which are formed under the scrutiny of world major power states.

Although the UN has been able to convene the international community to establish an arms embargo in Yemen with the aim of demilitarizing the belligerents, it did not reach the expected outcomes due to the presence of alternative means of acquiring and disseminating arms to and among the disputant parties. The UN is partially successful in its cease-fire agreements and on its political reconciliation attempts through power-sharing agreements along with its initiatives of conducting national-level discussions. The UN has not been able to identify the growth of discontent among the tribal groups and the mismatch of their interests alongside the main parties to the conflict. In terms of the mediator qualities, the UN special envoy has the adequate personal qualities and experience required to be applied for such a conflict. In some of its ventures, the UN has been able to gain successful outcomes by ensuring its cooperation with non-governmental actors. The UN partnership discussions with the regional organization have not been in successful status. Also, the UN has not achieved considerable success in its inclusion of women and civil society representation on the negotiating rounds, which leads to making drawbacks in implementing inclusive agreements. The inclination to the GCC initiatives by the UN has achieved considerable success at the beginning of its mediation process. But due to the changing dynamics of the conflict, eventually, the measures taken through provisions of these previous resolutions did not achieve a fruitful outcome.

2.3 Challenges and constraints of the UN mediation process in Yemen

The challenges and constraints in the UN mediation process in Yemen can be categorized as the challenges and constraints arising from the UN procedures and its structure of conflict mediation; then the challenges evolve from the dynamics of the conflict and as well as the nature of actions by the

²⁹⁶ OSESGY,Newsletter Issue #1, 2020 July- September URL:<https://sway.office.com/HF1tQbsqVfIoEVCC?ref=email>
[Accessed Date: 09 May 2021]

direct and indirect parties involved, and further, they can be identified and elaborated through the factors and procedures of successful mediation.

The United Nations path in conflict resolution differs and it has taken several uneven paths with different protocols in several countries.²⁹⁷ Mediation is one of such mechanisms of peace processes that the UN applies aiming at stopping the violence and bringing the disputant parties to the negotiation table. But it highly focuses on the short term objective of achieving political and social peace. This process aims to build up trust between the disputant groups to create a circumstance where the conflict can be managed in a non-violent manner by the society itself.²⁹⁸ Accordingly, to build an effective solution for a conflict, it is a critical fact that the mediators need to design durable solutions to the issues.²⁹⁹ Added to that, following an outdated international approach in ending conflicts is one of the major barriers in settling disputes. Because conflicts take multiple political dynamics along with different commands and control.³⁰⁰ Here the two factors can be considered. One the presence of a multitude of actors in the conflict ground and two the drawbacks and design in comprehensive peace agreements.

UN mediation processes are focused on achieving an extreme non-inclusive and comprehensive political reconciliation process, along with the evolving dynamic nature of the Yemen conflict. So, with this existing linear framework of political negotiations, the basic necessity of violence reduction and creating a stable political environment has become incapable as they are conducting based on the existing framework of former mediated peace agreements.³⁰¹ This condition on the ground is much more unlikely to make a lasting peace on the ground unless the UN does not address this issue

²⁹⁷ Laipson,E, U.N. Peacemakers Wind up tough year with a flurry of Progress, *World Politics Review* (Selective Content), 22 December 2015, p1-1. 1p

²⁹⁸ SIPRI, Shifting the paradigm,: Power and responsibility, Stockholm International Peace Research Institute, 2021 April URL: <https://sipri.org/commentary/blog/2021/shifting-paradigm-power-and-responsibility> [Accessed Date: 09 May 2021]

²⁹⁹ Daniel E, Trevor,J. Ashley L. R, Eric R, Building an Enduring Peace in Yemen: Lessons from Five Years of RAND Research, RAND cooperation, 2021 URL: https://www.rand.org/content/dam/rand/pubs/research_reports/RRA700/RRA733-1/RAND_RRA733-1.pdf [Accessed Date: 26 April 2021],p.10

³⁰⁰ ICG, Rethinking Peace in Yemen, Report , No:216 , Middle East & North Africa, International Crisis Group, 2 July 2020,URL: <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/216-rethinking-peace-yemen>[Accessed Date: 10 July 2020], p.i

³⁰¹ SIPRI, Shifting the paradigm,: Power and responsibility, Stockholm International Peace Research Institute, 2021 April URL: <https://sipri.org/commentary/blog/2021/shifting-paradigm-power-and-responsibility> [Accessed Date: 09 May 2021]

adequately. Also, sticking to the false assumption that the framework set out under the Gulf Cooperation Council initiatives as a means of establishing an inclusive political settlement will lead to a comprehensive reconciliation process is a limitation. Because the current conditions in Yemen show that the parties are no more interested in such a political process. UN being an external actor, it is hard to implement the clauses set out in this agreement by making a sufficient influence over the actors of the conflict.³⁰²

Even though the UN, being a global organization, having considerable leverage over the disputant parties to the conflict unlike the other regional or non-governmental organizations, due to the reliance on more international pressure and the prevalence of structural constraints has become the factors that impede the compromising process.³⁰³ Simultaneously, it constraints the ability to arrive at an agreement in a timely manner. This can be further insisted through the September 15th briefing of the Special Envoy to the Security Council mentioning that time was running out to reach an agreement at a time when Yemen needs it the most.³⁰⁴

Apart from that, efficacy and the approach taken by the UN mediator through a mandate is highly dependent on the UN Security Council. In order to have a successful negotiation process, the Security Council needs to provide a clear mandate to the mediator. Similarly, the impact of Veto, where the mediator depends on the agreements upon the Permanent members and their interest in solving the conflict. For example: threatening the offensive party via sanctions like coercive measures and the way of implementing and the decisions to lift them depends on the decisions taken at the Security Council. So, if there is a vagueness in the Security Council decision making, the mediator will not be able to negotiate a viable agreement.³⁰⁵ Also, here impartiality is a decisive factor, where the nature of implementation of such coercive measures might be advantageous to one party, while it will be disadvantageous to another. So, in the Yemen conflict, the west's inclination towards Saudi Arabia and their more consideration on maintaining good relations with Saudi Arabia have made a bias in the predominant results at the UN Security Council with the imbalance prevailing in it. This situation is

³⁰² Asseburg .M, Lacher.W and Transfeld.M , Mission Impossible? UN Mediation in Libya, Syria and Yemen, SWP Research Paper 8, German Institute for International and Security, 2018 October, p.56

³⁰³ Ibid p.8

³⁰⁴ OSESGY,Newsletter Issue #1, 2020 July- September URL:<https://sway.office.com/HF1tQbsqVfIoEVCC?ref=email> [Accessed Date: 09 May 2021]

³⁰⁵ Ibid, p.8

further influenced by the vote of non-permanent members such as Jordan (2014–15), Egypt (2016–17) and Kuwait (2018–19), the countries which are part of the Arab coalition. This P5 veto and the overall voting system in the Security Council might be an impediment for the UN mediator to implement the expected negotiating process and to protect its mission since there is a possibility of cancelling or vetoing the possible practical resolutions presented by him to the Council.³⁰⁶

Since the United Nations has been involved in many peace operations in the Sub-Saharan African region, there is a less increase in the number of peace operations conducted by the UN with the decrease in the number of personnel employed in such multilateral peace operations.³⁰⁷ This issue can be elaborated in the Yemen conflict as follows: The UN multilateral peace operation to support the Hodeida agreement has a mild success with its ceasefire and the redeployment of forces. In his letter to the Security Council, the UN special envoy insisted on the difficulties in setting up the operational environment of the mission in Hodeida, due to the reasons such as: “slow approval of visas for mission personnel and clearances for equipment, such that UNMHA “has only just maintained its initial operational capacity to deliver on its mandate”.³⁰⁸ So, in relation to the above-mentioned issue of decreasing number of personnel, this particular issue can be considered as a bureaucratic impediment that UN is facing as the global organization who is responsible for handling over one-third of multilateral peace operations, leaving the question of productivity of those peace operations.³⁰⁹

In Yemen, the unending cycle of political upheaval over decades has been furthered, by the distrust that prevails among the Yemenis about the central government and the skeptical opinion on the elite pacts. So, the UN efforts in making negotiations with elite groups will not be able to ensure an enduring peace on the Yemeni ground. For realistic sustainable peaceful negotiations, the importance of joining tribes, other ethnic communities who are at the core level of the society needs to be drawn up to the negotiating table. Otherwise, the UN has to deal continuously with a cloud of distrust among

³⁰⁶ Ibid, p.55

³⁰⁷ Davis .I and Iijn, J.V.D, Global developments in armed conflict, peace processes and peace operations. 2020, URL: https://www.researchgate.net/publication/350107183_Global_developments_in_armed_conflict_peace_processes_and_peace_operations [Accessed Date: 04 May 2021]. P28 ,

³⁰⁸ UN, Security Council report, Yemen: Council to Renew Mandate of UN Mission to Support the Hodeidah Agreement, 2019 July, URL: <https://www.securitycouncilreport.org/whatsinblue/2019/07/yemen-council-to-renew-mandate-of-un-mission-to-support-the-hodeidah-agreement.php> [Accessed Date: 7 November 2020]

³⁰⁹ Davis .I and Iijn, J.V.D, Global developments in armed conflict, peace processes and peace operations. 2020, URL: https://www.researchgate.net/publication/350107183_Global_developments_in_armed_conflict_peace_processes_and_peace_operations [Accessed Date: 04 May 2021].p.28

these communities. This fact impedes a durable peaceful solution to the conflict.³¹⁰ Added to that, in some conflicts local groups may function independently. Such groups may reject the ideas of autonomy of a decentralized government. In the Yemen conflict, during the United Nations Kuwait discussion framework, the two major parties, the Hadi and the Houthi groups admitted to being ruled under a different regime. This factor hinders the sustainability of their peace settlements.³¹¹

The political realities on the conflict ground are changing and blocking the possibilities for future negotiations. The framework of Kuwait talks turns out not to be feasible with the shift of power balance in the parties. It is noted that the growth of Houthis power within the country and a necessity identifying the interests of these main parties to the conflict (Houthis and Saudi led coalition) amidst the huge territorial and political fragmentation on the Yemeni ground has been a remarkable challenge in front of the UN and that of the international community. Because these fractures make the two-party negotiation framework into a difficult position. If the key power units in Yemen are excluded from mediation talks, there is a possibility that they will damage the ongoing attempts of peaceful negotiations through outside deal-making with the actors involved in the conflict. This might confine and undermine the UN mediation process by weakening the prospects for durable national settlements on the ground.³¹²

The huge fragmentation within the Yemen ground in terms of political, ethnic, social and religious sections, along with the formation of sub-regional or tribal groups made the UN rethink a different negotiation framework to present an achievable agreement on the negotiating table. Because, so far the UN has been focusing on the two-party settlement, and it has only achieved marginal success.³¹³ So, when considering the local level conflicts within Yemen, the absence of formal governorates and the drawback in the identification of formal and informal actors who are involved in conflict resolution at the local level further messed up the situation. This condition is further aggravated by the mistrust of the parties upon formal institutions to resolve conflicts. It limits the path for sustainable peace, under a circumstance only the major factions to the conflict are involved in reaching an agreement

³¹⁰ Daniel E, Trevor, J. Ashley L. R, Eric R, Building an Enduring Peace in Yemen: Lessons from Five Years of RAND Research, RAND cooperation, 2021 URL: https://www.rand.org/content/dam/rand/pubs/research_reports/RRA700/RRA733-1/RAND_RRA733-1.pdf [Accessed Date: 26 April 2021], p.20

³¹¹ ICG, Rethinking Peace in Yemen, Report , No:216 , Middle East & North Africa, International Crisis Group, 2 July 2020, URL: <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/216-rethinking-peace-yemen> [Accessed Date: 10 July 2020], p.i

³¹² Ibid p.28-29

³¹³ Ibid p.ii

with a formal institution like the UN.³¹⁴ So, there is a high chance that those issues at the ground level continued to be hidden as a spark under the ashes, with a possibility to rise up again among those communities.

The UN is challenged by winning over a multitude of actors with complicated political histories and who are competing for economic interests, amidst the multiplication of actors at both local, regional and international level in Yemen. Most of these actors are benefiting from the existing status quo in Yemeni ground.³¹⁵ Even before the war, in the Yemeni political system there was corruption and parties were profiteering from the existing status quo of the country. This condition is embedded within the structure of the conflict.³¹⁶ The small groups of individuals who are directly or indirectly linked with the main parties to the conflict are benefitting from the ongoing violence in Yemen. Examples of such groups include the political elites among the Houthis, political groups in both Southern and Northern governorates, Houthi military commanders etc. Most of them are profiteering in economic and personal financial gain through the use of resources, facilities and by leveraging power through physical control over the resources and infrastructure. Some parties are enjoying the benefits that they gain from the regional powers. For instance, Southern political groups are enjoying the financial support and the political influence backed by Saudi Arabia and UAE whereas Houthis build up their influence through the support from Iran. So, these parties weaponized the internal system existing in Yemen to their own advantage, especially for political and financial gains, turning the situation on the ground into the world's worst humanitarian crisis.³¹⁷ So, instead of achieving long term goals, the UN is facing the constraint of directing its mediation to solve the problems of these issues on the contemporary basis to reduce the tensions on the ground and to diminish the rates of

³¹⁴ Daniel E, Trevor, J. Ashley L. R, Eric R, Building an Enduring Peace in Yemen: Lessons from Five Years of RAND Research, RAND cooperation, 2021 URL: https://www.rand.org/content/dam/rand/pubs/research_reports/RRA700/RRA733-1/RAND_RRA733-1.pdf [Accessed Date: 26 April 2021], p.31

³¹⁵ Ibid, p.16

³¹⁶ Ashraf, S, Ending the War in Yemen: Q&A with Abdulghani al-Iryani, Global Observatory, International Peace Institute, March 10, 2020, URL: <https://theglobalobservatory.org/2020/03/ending-war-yemen-qa-abdulghani-al-iryani/> [Accessed date 6 May 2021]

³¹⁷ Daniel E, Trevor, J. Ashley L. R, Eric R, Building an Enduring Peace in Yemen: Lessons from Five Years of RAND Research, RAND cooperation, 2021 URL: https://www.rand.org/content/dam/rand/pubs/research_reports/RRA700/RRA733-1/RAND_RRA733-1.pdf [Accessed Date: 26 April 2021], p.12

humanitarian sufferings. Accordingly, efforts are taking to reach a political agreement between Ansar Allah and the Saudi led coalition.³¹⁸

It is noteworthy that UAE has been withdrawn militarily from Yemen in 2019 despite the growing tensions on the ground. So, this behaviour of the UAE is inconsistent with the agenda of the Saudi led coalition. Nevertheless, especially after the Stockholm agreement, Emiratis also believe that the war cannot be won through military means by perceiving that the Hadi government lacks strategies and is filled with corruption and inefficient policies.³¹⁹ This shows the dynamics and changing nature of interests and agenda of proxy parties involved in the conflicts made a considerable impact over time in the conflict. This made the UN a challenge to adapt its mediation proceedings following those changing dynamics of interests since the main parties involved in the conflicts are directly affected by this changing nature of interests of these proxy parties. So, the UN policymakers and the Yemen stakeholders need to consider their adaptability to the changes and make their gauges about how much the changes can be made.³²⁰

In prioritizing and balancing between the actors, with whom the UN needs to deal is a decisive factor in its mediation process. It is a determinant of the progress and success of its negotiations. In the Yemen conflict, the UN is conducting its negotiations based on the clause of resolution 2216:

For example: “*Deploring* any attempt by the Houthis to take actions that are exclusively within the authority of the legitimate Government of Yemen, and *noting* that such actions are unacceptable,”

Here it depicts the international recognition of the Hadi government and prevents the other party from taking any action against them. This position of the UN being a mediator grows a belief in Houthis

³¹⁸ Ashraf.S, Ending the War in Yemen: Q&A with Abdulghani al-Iryani, Global Observatory, International Peace Institute, March 10, 2020, URL: <https://theglobalobservatory.org/2020/03/ending-war-yemen-qa-abdulghani-al-iryani/> [Accessed date 6 May 2021]

³¹⁹ ICG, Rethinking Peace in Yemen, Report , No:216 , Middle East & North Africa, International Crisis Group, 2 July 2020, URL: <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/216-rethinking-peace-yemen> [Accessed Date: 10 July 2020], p.23

³²⁰ Ibid, p.30

that most of the actions of the Special envoy are biased against them.³²¹ This rules out the trust gained by the UN as an impartial mediator in the Yemen conflict.³²²

On the other hand, although tribal mediation helps to mitigate the local level conflicts aiming the tribal communities, still there will be risks upon the tribal mediators, for not being aligned to the major parties to the conflict. This might endanger the stability of tribal areas. So, the UN and other international agencies need to pay attention to understand the limitations of such tribal mediators on the ground to avoid potential harms that might occur for them.³²³

Although the UN is capable of implementing general agreements which can be adapted by the disputant parties, there is a disagreement among the parties on the interpretation of the transitional agreement. This prevailing disagreement hinders the progress of the UN mediation process. Therefore, the necessity for establishing a mechanism of comprehensive political approach with clear principles on the future transition in Yemen is a crucial fact.³²⁴ In the process of establishing such mechanisms there are some limits in determining the level of inclusiveness in the political process due to the expansive nature of actors on the Yemen ground. Hence it is a challenging factor for the UN to find the middle ground in taking proactive measures via the UN special envoy.³²⁵

³²¹ Lackner.H, Why can't the United Nations bring peace to Yemen? 6 January 2018, URL:<https://www.opendemocracy.net/en/north-africa-west-asia/why-can-t-united-nations-bring-peace-to-yemen/> [Accessed Date: 10 July 2020]

³²² Asseburg .M, Lacher.W and Transfeld.M , Mission Impossible? UN Mediation in Libya, Syria and Yemen, SWP Research Paper 8, German Institute for International and Security, 2018 October p.5

³²³ Al-Dawsari, N, Peacebuilding In The Time Of War: Tribal Cease-Fire & De-Escalation Mechanisms In Yemen, The Middle East Institute, April 2021, URL: <https://www.mei.edu/sites/default/files/202104/Peacebuilding%20in%20the%20Time%20of%20War.pdf> [Accessed Date: 26 April 2021], p.5

³²⁴ ICG, Rethinking Peace in Yemen, Report , No:216 , Middle East & North Africa, International Crisis Group, 2 July 2020, URL: <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/216-rethinking-peace-yemen> [Accessed Date: 10 July 2020], p.35

³²⁵ ICG, The Case for More Inclusive – and More Effective – Peacemaking in Yemen, Report No.221 Middle East & North Africa, International Crisis Group, 2021 March, URL: <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/221-case-more-inclusive-and-more-effective-peacemaking-yemen>, [Accessed Date: 6 May 2021], P 18

Moreover, the challenges confronted by the mediators can be divided into five key areas as per the work of Mancini et al (2016) where it depicts the analysis on the mediation in Yemen by UN special envoy Jamal Benomar.³²⁶ :

(1) The relationship between the mandate and the authorizing agency- in the case of Benomar, it indicated that he stepped onto the crisis without a mandate from neither the Security Council nor the General Assembly where the author perceives it as a reflection of the comprehensive understanding of the system in the United Nations. In the complicated process of transition, Benomar with his diplomatic and managerial skills was able to implement mechanism in the South of the country. Although he was able to make successful coordination with the Security Council, the international community support was not visible.³²⁷

(2) Entry and consent- In here the challenges he faced in entering the conflict and obtaining the consent of the parties to the conflict is addressed and analysed. Highlighting Benomar's instant mediation action as a special envoy who involved in the process in just three months after the Arab Spring even without a Security Council resolution has been able to receive a good response in the beginning and his prestige was increased creating the space for dialogue. Along with this dissatisfaction of the regimes on Yemen grounds, as per the author he worked on with Yemenis parties to convince that UN support will support their aspirations insisting the importance of achieving it gradually in a peaceful manner.³²⁸

(3) Impartiality and inclusivity, where it means that the UN needs to include all the parties without being neutral but being impartial in its process-There is a mixed view on the management of parties to the conflict by Benomar. The author depicts that he tried to be balanced without being aligned to the foreign powers whereas his action in confidence-building measures is perceived as being sided with Houthis against the interest of Saudi Arabia. On the other hand, Benomar's credibility and the support he received from the Security Council has been viewed as that he has an inclination towards the great powers. The nature of inclusion in his process was described through the manner that he reached out to the stakeholders and was the prominent example of the National Dialogue Conference which involved civil society actors. However, in his process of directing the transnational authorities, his attempts were limited by the insufficient inclusion of Southern Forces and factions. Here, basically,

³²⁶ Mancini, F., & Vericat, J. Lost in Transition: UN Mediation in Libya, Syria, and Yemen. International Peace Institute. 2016, URL: <http://www.jstor.org/stable/resrep09641.6> [Accessed Date: 10 January 2021], pp.10-13

³²⁷ Ibid, p.10

³²⁸ Ibid, p.12

it has appreciated the role of Benomar inability to play his own role in decision making regarding the mediation process. However, the drawbacks that can affect in the mediation process due to such a role and the decision making procedure of the mediating officer is not considered as a challenge. Instead the author tried to justify his moves in pointing out the possible risks that he has faced in this process.³²⁹

(4) Leverage-It refers to the ability of mediators to move the parties in a particular direction with reference to the fundamentals to be considered. Here, the reasons for the inability of maintaining the leverage over the stakeholders by the mediator is described. There was only a little leverage over the Yemeni stakeholder and Benomar was distressed with the fragmentation in the mediating authority, in a circumstance where the UN had to work closely with the Group of Ten countries which comprised Great powers, the European Union and the GCC. With the Houthis movement towards Sana, he lost the confidence of parties on the accommodation of their demands. Asseburg et al (2018), also noted that in terms of mediation strategy, the mediators who represent world powers possess higher leverage over the mediators of non-governmental organizations or small states who have little leverage, relying more on international pressure. This has become more challenging with the internationalization of conflicts where it is evident in Yemen where several external actors are also involved in the negotiating table.³³⁰

(5) Strategy- Benomar's real-time strategic decision on the implementation of NDC for the political transition among stakeholders to build trust by identifying the necessity of a long term political solution. However, here it describes the reasons for the fall of Benomar's strategy rather than identifying the challenges and constraints that a mediator faces in its process of executing the strategies.³³¹

In a mediated peace process that is based on political negotiations, the UN framework focused on two main parties to the conflict (Houthis and Hadi government in Yemen) which also often considers elite bargaining. This is an impediment to achieve sustainable outcomes. These two mismatched parties tried to make necessary compromises while providing a third party, Saudi Arabia, with an implicit veto. In such a circumstance UN being the mediator in this zero-sum approach of negotiation which

³²⁹ Ibid,p.11

³³⁰ Ibid,pp.12-13

³³¹ Ibid,p.12

involves the two parties faces the difficulty in introducing incentives upon the parties to diversify their conduct.³³²

Moreover, since this process tends to exclude the wider groups in the society, which represent a large population, especially, women and children and as well as marginalized groups who are residing away from the main or capital city or urban areas will create a blank space for a re-emergence of the conflict.³³³ Added to that, instead of opening the talks with new additional parties, the UN continued to address the inclusion of them into talks through the regular contacts with the major stakeholders (like Southern Transitional Council) and as well as through track II dialogues conducted via the participation of the special envoy office.³³⁴ Accordingly, even though, UN has recognized the need of including the emerging new actors in the conflict, to build inclusivity in the peace process, disruptions were raised from the main stakeholder of the conflict. It is because the main parties to the conflict are against adding those groups into the discussion table as they fear that this inclusion will dilute the outcomes of the final settlement.³³⁵ Also the prevalence of hostile attitude towards each other further complicates the situation where non-inclusion of them would hamper the future political settlements as well.³³⁶

Efforts of the UN to build an inclusive peace has been further challenged by lack of connectivity between peacebuilding efforts at local, national and UN levels. When there is no proper institutionalized way to help the local groups to build a relationship with the mediating parties, the complexity of the conflict increases further.³³⁷ In parallel to that within the UN diplomatic

³³² ICG, The Case for More Inclusive – and More Effective – Peacemaking in Yemen, Report No.221 Middle East & North Africa, International Crisis Group, 2021 March, URL:<https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/221-case-more-inclusive-and-more-effective-peacemaking-yemen>, [Accessed Date: 6 May 2021], P 1

³³³ SIPRI, Shifting the paradigm,: Power and responsibility, Stockholm International Peace Research Institute, 2021 April URL: <https://sipri.org/commentary/blog/2021/shifting-paradigm-power-and-responsibility> [Accessed Date: 09 May 2021]

³³⁴ ICG, Rethinking Peace in Yemen, Report , No:216 , Middle East & North Africa, International Crisis Group, 2 July 2020, URL: <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/216-rethinking-peace-yemen> [Accessed Date: 10 July 2020],, p.30

³³⁵ Ibid

³³⁶ Al-Dawsari, N, Peacebuilding In The Time Of War: Tribal Cease-Fire & De-Escalation Mechanisms In Yemen, The Middle East Institute, April 2021, URL: <https://www.mei.edu/sites/default/files/202104/Peacebuilding%20in%20the%20Time%20of%20War.pdf> [Accessed Date: 26 April 2021]

³³⁷ ICG, The Case for More Inclusive – and More Effective – Peacemaking in Yemen, Report No.221 Middle East & North Africa, International Crisis Group, 2021 March, URL:<https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/221-case-more-inclusive-and-more-effective-peacemaking-yemen>, [Accessed Date: 6 May 2021], p.15

intervention in Yemen to turn the country into inclusive political talks as a means of initiating peace, it is identified as a failure due to the ignorance of other social groups.³³⁸ Accordingly, the related shortcomings have been highlighted in the Principles for Peace (P4P) initiative³³⁹. This focuses on strengthening the social institution through increasing individual participation for long term peace efforts with local, national and international actors. This initiative was launched in December 2020 and Yemen is one of the countries that had completed the initial round of participatory consultations.³⁴⁰ However, the adoption of the recent Joint declaration is in an ambiguous position due to the lengthy post-agreement negotiations and failure in applying mutually agreed concessions among the parties.³⁴¹

Nevertheless, under the most recent context, the major problem is that UN mediators had to make continuous negotiations in virtual form due to the COVID-19 pandemic condition. Then the essential features of human to human contacts such as empathy and the connection based on human chemistry is simply lost in the negotiation table. So, there is a high possibility that such kind of discussions will not be productive with a higher prospect of losing the chance to arrive at an agreement due to the further aggravation of misunderstandings among the disputing parties. Because, indeed a physical interaction does more than words, especially in such debatable discussions.³⁴²

UN mediation system focuses on achieving short term peace to submerge the violence, Since the UN structure is based on that, it is a procedural constraint that the UN mediation confronts when attaining sustainable peace. So, on one hand, it can mention that the UN existing structure of dispute settlement through mediation has been outdated. Hence it has less capacity to achieve comprehensive peace. Despite the higher leverage that can exert on disputant parties, it needs to rely on international pressure due to its structural framework of decision-making. It is constrained by the level of impartiality that UN Security Council decisions can be made amidst the veto and the interest of major powers who are indirectly involved in the conflict. Being a global organization that engages in a wide range of

³³⁸ Ibid, p. i

³³⁹ The Principles for Peace is a global participatory initiative to develop a new set of principles, standards and norms that will fundamentally reshape how peace processes are structured, sequenced and actualized

³⁴⁰ SIPRI, Shifting the paradigm: Power and responsibility, Stockholm International Peace Research Institute, 2021 April URL: <https://sipri.org/commentary/blog/2021/shifting-paradigm-power-and-responsibility> [Accessed Date: 09 May 2021]

³⁴¹ Jalal.I, , Yemen's Joint Declaration: A bigger repeat of the stalled Hodeida Agreement?, Middle East Institute, March 4, 2021, URL: <https://www.mei.edu/publications/yemens-joint-declaration-bigger-repeat-stalled-hodeida-agreement/> [Accessed Date: 06 May 2021]

³⁴² Davis .I and Ijn, J.V.D, Global developments in armed conflict, peace processes and peace operations. 2020, URL: https://www.researchgate.net/publication/350107183_Global_developments_in_armed_conflict_peace_processes_and_peace_operations [Accessed Date: 04 May 2021].p.32

mediation missions, it confronts bureaucratic impediments due to resource scarcity. Strict adherence to the GCC initiatives and its structural mediation process that exist over a long period mismatches with the current nature of the conflict is a constraint that the UN faces.

In its decision making and negotiating process UN is challenged by prioritizing and balancing between the actors on the ground. Challenges of winning over a range of actors with different economic, political and social interests and who are preferring the existing status quo narrow down the UN efforts to find the contemporary escalations on the ground. But due to the severe changing dynamics of the conflict due to the presence of a multitude of actors, created distrust among the stakeholders about the mediation of formal institutions like the UN. Similarly, the challenge has been further aggravated by the changing nature of interests of proxy parties to the conflict.

In terms of the factorial assumptions of a successful mediation, UN procedure is constrained by the non-inclusion of the civil society groups, women and other minor actors who are directly involved in the conflict in its negotiation process. This is partly due to the negotiation based on the higher focus of major parties to the conflict and also their resistance against these sub-parties to the conflict. There is a lack of connectivity between such sub-groups of stakeholders and that of the UN- being the mediation party. In the current context, the necessity of the presence of human contact in meditation has become a challenge in the UN negotiation process due to the pandemic conditions.

Chapter III- Assessing the Appropriateness of the UN and Other IGOs in Armed Conflict Mediation: the Case of Yemen and Beyond.

3.1 Critical aspects of United Nations, and other international organizations' mechanisms of mediation in armed conflicts

United Nations and other related international organizations' mediation efforts in containing and reducing the activities of belligerents in a conflict can be viewed with critical scrutiny. Each and every organization has different capacities and mechanisms of engaging in conflict mediation and also in imposing particular legal conditions and norms over the sovereign states. Despite that, in general, these organizations are working under the prospect of reaching peaceful bargains between the disputant parties in an anarchic condition.³⁴³ Basically, international organizations have been mainly concerned about conducting meditations in an armed conflict focusing more on the related subjective areas such as peacebuilding, ensuring justice and human rights of the vulnerable population on the battleground.³⁴⁴ The United Nations being the world organization which aims at safeguarding international peace and security, as its foremost objective, perceived to be following its own system of actions to respond to the issues related to armed conflicts.

Conflict mediation is a heavy engagement tool used by the United Nations in the twenty-first century due to the differences in the threats faced by the world community. The UN is also perceived to be following its own system of actions to respond to those issues. Ever since the major political changes: end of the cold war, colonialism, and active increase and engagement of international activities with the rise of different actors in the international arena, civil wars become much more internationalized with the intervention of a multitude of groups. These conflicts have been caused as a result of ethnic cleansing, genocide, the collapse of government authorities etc. The post-cold war era, abided by the

³⁴³ Edwards, M.S. and. DiCicco, J.M International Organizations and Preventing War, Oxford Research Encyclopedia of International Studies, 2018, URL: <https://doi.org/10.1093/acrefore/9780190846626.013.407> [Accessed Date: 18 February 2021],p.1

³⁴⁴ Edgar A D. International Organization and Ending Conflicts Conflict Studies, Organization, Oxford Research Encyclopedia of International studies, March 2010 DOI: 10.1093/acrefore/9780190846626.013.233,,p1

rise of terrorism and the acquisition of nuclear weapons by rough players/states in the international arena posed major threats to the UN conflict management role.³⁴⁵

Despite that, the UN consists of the supportive instruments which can exert more leverage upon the parties to the conflict:

Chapter VI of the UN charter denotes the conditions for peaceful settlement of disputes with the meaning of collective security, whereas Article 39 under Chapter VII identifies the international breach of peace and security and the necessary measures that can be taken by the member states.³⁴⁶

The power within the Security Council is a unique factor that differentiates the UN from other international organizations in terms of conflict resolution. The collective Security terms defined in the charter, it applies not only to the states in general but also to the population in states as well. Article 5 of the UN charter limits the shared judgments, especially related to the cases where the permanent members are involved. The act of aggression is a difficult phenomenon to describe. Sometimes there may be differences in the interpretation of the Security Council member states on the act of aggression by a secessionist group and a government, although in general it is classified under the statement as a threat to international peace and security. It is noteworthy that the 1950s Uniting for peace resolution is allowing the General Assembly to conduct its activities related to peacemaking, if the Security Council is blocked in taking actions, which is, in turn, a way of skipping the veto. Under Article 99, the Secretary-General has the authority to bring an issue that threatens international peace and security to the Security Council. Also, it is noteworthy that the veto is allowed to be used responsibly by the permanent members for the sake of the interest of the organization as a whole but not to fulfill the interests of the member states.³⁴⁷

Over the decades, the United Nations (UN) is one of the several possible actors engaging in conflict mediation, concerned with intrastate conflicts with severe violence within the borders, where those lands are mostly referred to as failed states. Much of these intrastate armed conflicts require policy-oriented discussions with a pragmatic approach related to the sensitive issues of maintaining

³⁴⁵ Mingst K and Karns M, & Lyon, A. The United Nations and Conflict Management: Relevant or Irrelevant?, Chapter 28, *The United Nations in the 21st century*. (5th ed.). Routledge. 2017, <https://doi.org/10.4324/9780429494307/> [Accessed Date: 10 July 2020]p.497

³⁴⁶ Wallensteen, P. The United Nations in conflict Resolution, Chapter 09, *Understanding conflict resolution: War, peace and the global system*, ed.03, Sage Publications Ltd., London. December 15, 2011 P.234

³⁴⁷ Ibid

sovereignty, good governance, ensuring the rights of citizens of those states, and ultimately which aims at peacebuilding through the limits of political will of the particular conflicting parties.³⁴⁸ The dynamics of such armed conflicts, especially in the case of the Yemen conflict, can be seen as the deep-seated ideological differences with power-driven roots of both internal and external actors to the conflict, and it is a decisive factor. Apart from that, the blame for the United Nations mediation process of being biased and various interpretations over the objectives of the UN mediation missions are also under the purview of sub-factors to be considered in the evolution of its role as a third-party mediator.

According to the scholars, the basic building block of an international organization lies over the foundation of political theories; unveil of historical events and the other relevant simultaneous factors derived from them- i.e. The UN was formed as a world organization to secure international peace and security after the devastating World War II, and the philosophical ideas related to the maintenance of peace in the world community. These are some such supporting ideological factors that lead to the foundation for such an international organization.³⁴⁹ This is elaborated in terms of the architecture of global governance which can be understood through the patterns of relations of the historical aspects, between states, individuals, or several other groups. Then it subsequently develops conflict management ideas along with the balance of power politics.³⁵⁰ Further these aspects can be considered as norms and principles that are embedded in its basic practices and instruments of mediation such as the use of diplomacy (i.e the special envoy mechanism, track II diplomacy), formation of treaties and agreements among parties (i.e UN resolutions, Stockholm agreement in related to Yemen conflict, prisoner's exchange agreements, etc.); rules of welfare (i.e. UNHCR, WFP, ICRC and other related government and non-government humanitarian organizations engagement on the Yemeni ground); dispute settlement (i.e. conducting round table negotiations with the belligerents through special envoy mechanism by UN or track II diplomacy by UN or other NGOs or GCC like regional organizations) and various forms of administration (i.e. UN administrative framework in establishing the missions of mediation and the mechanism of formulating and adopting resolutions by these international organizations in relation to the steps taken in averting the conflict).

³⁴⁸ Edgar A D. International Organization and Ending Conflicts Conflict Studies, Organization, Oxford Research Encyclopedia of International studies, March 2010 DOI: 10.1093/acrefore/9780190846626.013.233,p2

³⁴⁹ Ibid

³⁵⁰ Ibid

However, International organizations have varied forms of mediations with distinctive features. Despite the major difference of being government and non-government, each organization follows different procedures in their quest of reducing tensions under their mediation in a particular armed conflict.³⁵¹ So, each organization plays a particular role assigned to them through their structural framework that builds up upon its members' consensus. The United Nations being a global organization, usually works with such varied institutes in their peacemaking missions. Accordingly, this factor is quite highlighted in the Yemen conflict where ICRC plays a significant role in the prisoner's exchange program that is conducted via the UN mediation process. This depicts the fact of the variability of roles and frameworks assigned to each organization and as well as the capability of reaching different levels of negotiations with the disputant parties of the conflict along with the particular procedures they are pursuing.

3.2 Implications of challenges and constraints of mediation by the UN and other international organizations

Article I of the United Nations Charter stipulates the prevention and resolving of conflicts through peaceful means. This is the core objective of the majority of international organizations that are engaging in conflict mediation. It needs to highlight that the charter of many international organizations puts more weight on preventing conflicts rather than on ending them. The framework and the activities of these organizations have a bias on preserving the existing status quo with a new institutional design.³⁵² Creating a self-sustaining democratic peace while ensuring justice and rule of law are considered to be the goals of the UN mediation process, especially with regards to the armed conflict which causes along with the rise of subgroups like secessionist or terrorist groups within a country creating political, social and economic instability due to the improper administration under a stable government.³⁵³ This circumstance is quite visible in Yemen where the UN is engaging in the political transition process through its mediation mission and to that end, it takes actions such as initiating ceasefires, conducting negotiations while making efforts to reach into agreements being an

³⁵¹ Edwards, M.S. and. DiCicco, J.M International Organizations and Preventing War, Oxford Research Encyclopedia of International Studies, 2018, URL: <https://doi.org/10.1093/acrefore/9780190846626.013.407> [Accessed Date: 18 February 2021],p.2

³⁵² Edgar A D. International Organization and Ending Conflicts Conflict Studies, Organization,Oxford Research Encyclopedia of International studies, March 2010 DOI: 10.1093/acrefore/9780190846626.013.233,p10

³⁵³ Ibid, p.12

interposition between the belligerents. However, the robustness of these activities is impeded through the level of compliance of the parties at the negotiation table.

Accordingly, the skeptics lie whether UN mediators design the durable solutions to the conflict or mediation efforts focus on submerging the existing conditions. In the analysis of the Yemen conflict, the possibility of growing the cloud of distrust among the tribal groups and other minority groups that are involved in the conflict mainly arise due to the UN's drawback in not involving them at the negotiation table with the main disputant parties. But it can be considered that the operational framework and the status of the organization (being the largest international organization) are some inherent factors that lead UN mediators not to be involved directly with such bottom-level groups from the civil society. So, it can be considered as a constraint in such international organization-based mediation, unlike an individual or a group who can work as a mediator of a particular non-governmental organization where they have much more possibility and space in dealing with the combatants at the ground level. Ultimately this raises the fact about the level of adequacy of the UN like international organizations' mediation for such armed conflicts when it needs to address the demands of those minority or civil society groups.

In addition to that, in an anarchic condition, there is less possibility of having permanent agreements among the actors because they face commitment problems due to the dynamics of the conflict, which changes with a great frequency and due to the differences of growth in their capabilities which alter the status quo.³⁵⁴ So, it can be contemplated that the applicability of the traditional mediation processes conducted by the United Nations or other international organizations needs to be revised to some extent. When elaborating this with the case of the Yemen conflict, the UN attention to the internal rivalries between small local groups and as well as the changing interests of the proxy parties needs to be addressed frequently when initiating an agreement. But currently, it mostly focuses mainly on the negotiations between the major parties to the conflict. This might be caused due to the existing framework of mediation and thereby it creates less space to make alternatives since most of the procedures are conducted under the consent of the Secretary-General or by the special envoy needs the consent and compliance of the UN Security Council members.

³⁵⁴ Edwards, M.S. and. DiCicco, J.M International Organizations and Preventing War, Oxford Research Encyclopedia of International Studies, 2018, URL: <https://doi.org/10.1093/acrefore/9780190846626.013.407> [Accessed Date: 18 February 2021],p.8

Being an organization that is composed of states as its members, an international organization like the UN or even a regional organization vested its functions upon the goodwill of its member states. Although it acts as a platform of cooperation between states despite the existing cultural or ideological compatibilities, in instances of armed conflicts, it raises consensus-based issues.³⁵⁵ Because most of those armed conflicts are heavily influenced by the ethnic, religious, or political ideologies that prevail within those societies, making huge fractions of multitude groups. So, once such an armed conflict initially took place at the domestic level and with the eventual turn of it into a status of intrastate conflict, it creates a high possibility that those parties are affected or either supported by the neighboring groups or even the nearby state authorities. Since this fact can be clearly seen in the Yemen conflict, here, with no doubt, it can be said that the mediation efforts conducted by the UN are inevitably affected by this fact. Further, this affects the process of decision-making in passing a particular resolution at the Security Council. In the Yemen conflict, although the consensus of the Security Council for its adapted resolutions is not severely at the stake of disagreement of P5 members, at the negotiation table, the UN special envoy is influenced by the Saudi led coalition states and the indirect supporters for those main parties to the conflict³⁵⁶. So, in that sense, the partiality of those states towards a particular party's conduct in the conflict complicates the decision-making procedure within the UN mediation role. Moreover, since the considerable amount of the UN's authority conferred upon the Security Council for its security actions or policies amidst the veto power of major states, then the legality of some actions and the particular authorization vested upon the mediator's actions will be limited.³⁵⁷

Consequently, it hoists the need for a systematic international organization to focus on such issues in its systematic mediation efforts for conflict prevention.³⁵⁸ Because it is doubtful how far the existing structure of the UN conflict resolution through its mediation addresses these issues: for example, the lack of consensus of its members and the limits in reaching the disputants at the ground level are such contentious issues integrated into the existing system. In parallel to that, it is quite doubtful whether

³⁵⁵ Edgar A D. International Organization and Ending Conflicts Conflict Studies, Organization, Oxford Research Encyclopedia of International studies, March 2010 DOI: 10.1093/acrefore/9780190846626.013.233,p11

³⁵⁶ BBC, Yemen: Western powers may be held responsible for war crimes – UN, 2019 September 04, URL: <https://www.bbc.com/news/world-middle-east-49563073>[Date access: 18 May 2021]

³⁵⁷ Edgar A D. International Organization and Ending Conflicts Conflict Studies, Organization, Oxford Research Encyclopedia of International studies, March 2010 DOI: 10.1093/acrefore/9780190846626.013.233,p14

³⁵⁸ Ibid,p12

this mediation framework identified the necessary measures in addressing the immediate causes or whether they are constrained by the organization procedures itself, to not to take the relevant actions, even though they have identified those causes and issues that might be lead to create frictions and potential political, economic, and social rifts within and across states and societies³⁵⁹. This can be elaborated wherein the Yemen conflict, the UN is accused of not robustly engaging with the civil society, tribal groups, and the women. It mentions that it does not open an adequate floor to voice their demands and it is hindering the formation of mechanisms to conduct measures addressing these underlying social drifts that led to the base of the conflict.

The inability to identify an alternative outcome by the mediator where the parties would prefer to continue the conflict lies on the issues of not having proper access to private information, the problems of commitment, and the indivisibility of stakes.³⁶⁰ Particularly the interests of parties might impact the level of information they reveal to the mediator and also it depends upon the nature of the mediator as well. The amount of information that reveals about the capabilities of the parties to the mediator of an international organization like the UN or to a regional organization may depend upon the parties' perspective of the constituency of its member states and their projected interests upon those parties. Also, this depends upon the nature of the relationship that the parties have with the mediator and the level of influence and the leverage that the mediator exerts or possesses upon the conflicting parties. Especially, there is a higher probability of occurrence of this in a mediation process like in Yemen which drives upon the special envoy appointed by the Secretary-General of the UN. For instance, the current special envoy Martin Griffith who is well experienced on the field has been subjected to the criticism of being much inclined to the demands of Houthis, despite that he is being successful in bringing them into the negotiation table, in a situation where the former Special envoy Ismail Ould Cheikh Ahmed had been subjected to the refusal of Houthis for initiating discussions.³⁶¹ So, in that case, it can predict that nature and the amount of information received by Martin Griffith from the other party(Hadi government) might have been dependent on their perspective upon him. In such a

³⁵⁹ Ibid

³⁶⁰ Edwards, M.S. and. DiCicco, J.M International Organizations and Preventing War, Oxford Research Encyclopedia of International Studies, 2018, URL: <https://doi.org/10.1093/acrefore/9780190846626.013.407> [Accessed Date: 18 February 2021],p.7

³⁶¹ Asseburg, M. Lacher, W and Transfeld, M, Mission Impossible? UN Mediation in Libya, Syria and Yemen, SWP Research Paper 8, German Institute for International and Security, 2018 October p.10-11

circumstance, it can be assumed that the amount of information revealed from a particular party in a conflict depends upon the nature of the relationship with the particular mediator.

Human beings as individuals negotiate and develop a form of human security mechanisms with necessary tools in accordance with their social, political, and economic needs.³⁶² So, that's why disputants ultimately reach an international organization or form their own group of institutional mechanisms in its conflict resolution in an armed conflict. Because, usually, an intrastate conflict like in Yemen is intervened by the UN under the request of the disputant parties. As they believe the fact that the UN still retains its unique reservoir of legitimacy or integrative power, with higher expectation for a fair and sustainable solution to the conflict in accordance with their point of view. So, this might lead to a provoking factor where the UN needs to identify the positions and the expectations of the conflicting parties in an adequate manner. If they do not comply with the organization's principles and norms, it would be a challenge for the mediator to conduct a middle-range policy along with the changing dynamics of the conflict. Also, this situation might further aggravate in a condition where the UN usually mediates at the ripe moment of the conflict, since parties request the UN assistance when the conflict escalates up to a severe level.

Basically, the United Nations mediation process is authorized via the UN Security Council approval.³⁶³ Article 99 of the UN Charter gives the Secretary-General the authority to inform the Security Council if there is a breach of peace and security in the world³⁶⁴. Similarly, armed conflicts are considered interstate in nature and under the collective security mechanism, states used to gather around the UN to force the aggressive party of the conflict to concede from its aggressive policy. Chapter VII of the UN charter defines the situations where it can be considered as a crisis situation which can be an act of an 'act of aggression, a 'breach of the peace, or a 'threat to the peace. In such instances, UN member states tend to be bounded into its measures of UN charter. The P5 members' use of veto is quite debatable where they protect their interests through this. Also, there is an instance where a state can convene the support of other seven non-permanent members in order to prevent the

³⁶² Edgar Alistair D. International Organization and Ending Conflicts Conflict Studies, Organization, Oxford Research Encyclopedia of International studies, Mar 2010, DOI: 10.1093/acrefore/9780190846626.013.233, p14

³⁶³ Ibid

³⁶⁴ White P.B, Cunningham D.E, Beardsley K, Where, when, and how does the UN work to prevent civil war in self-determination disputes?. Journal of Peace Research. 2018, Vol. 55(3). DOI: 10.1177/0022343317744826, pp.380-394, P.380

veto from reaching the nine votes required for decision making.³⁶⁵ So, the actions of the Security Council might either confer its legitimacy with regards to a particular action or withhold its legitimacy or legality by refusing to authorize action through its veto power.³⁶⁶ This UN policy which allows major powers to cooperate, negatively affects the less powerful members. There is an issue raising upon the representatives in the council in terms of consensus action of all permanent members and it can be problematic in terms of strict application of UN procedures on behalf of small states³⁶⁷.

In such a circumstance UN preventative measures might get questioned by the particular government or the other conflicting parties due to the fact that a particular party to the conflict is a closer ally of UN Security Council (P-5) member and it might arise an instance where UN loses its possibility in the authorization of its activities on the ground where such kind of a Self-determination dispute occurs.³⁶⁸ This fact is visible in the Yemen conflict with regards to the Houthis' refusal to join in some discussion or to execute the procedures implemented through the UN resolutions or the agreements that have been brokered among the parties(for ex: Stockholm agreement, Resolution 2216).

However, so far in relation to the Yemen conflict, the United Nations Security Council resolutions seem to have a positive reaction from the disputant parties to some extent, amidst the possibility of rising opposition from the P-5 members of the UN.³⁶⁹ Here, it is noteworthy that most of the further resolutions or actions of the UN mediation process in Yemen were mostly based upon the previously attained UN Security Council resolutions, whereby it can be said that the UN has managed to intervene almost at the near highest peak of the conflict. Accordingly, it urges the timing of the UN involvement in such a self-determination dispute whereby it seeks to involve before it becomes violent and the possibility of adopting a UN resolution is less likely at the brink of a civil war.³⁷⁰

³⁶⁵ Wallensteen, P. The United Nations in conflict Resolution, Chapter 09, *Understanding conflict resolution: War, peace and the global system*, ed.03, Sage Publications Ltd., London. December 15, 2011 ,P.234

³⁶⁶ Edgar Alistair D. International Organization and Ending Conflicts Conflict Studies, Organization, Oxford Research Encyclopedia of International studies, March 2010 DOI:10.1093/acrefore/9780190846626.013.233,p14

³⁶⁷ Wallensteen, P. The United Nations in conflict Resolution, Chapter 09, *Understanding conflict resolution: War, peace and the global system*, ed.03, Sage Publications Ltd., London. December 15, 2011 p.234

³⁶⁸ White P.B, Cunningham D.E, Beardsley K, Where, when, and how does the UN work to prevent civil war in self-determination disputes? *Journal of Peace Research*; 55(3):380-394. 2018 DOI: 10.1177/0022343317744826, p.383

³⁶⁹ Ibid

³⁷⁰ Ibid

In addition to that, resource allocation by a particular international organization like the UN for its mediation operations in an intrastate conflict is a decisive factor. Because there is a high possibility that these costs can be regarded as a considerable amount of burden by the member states with the prolongation of the conflict along with the complexity associated with it. The UN is usually constrained by this fact where mainly its resources are limited due to its engagement in a huge range of missions. This is reflected in the Yemen conflict as well, where it faces difficulties in deploying the cease-fire monitoring missions.³⁷¹ Accordingly, in such missions there might raise the necessity of states' support to deploy the military personnel. But in Yemen, it is even complicated with the fact that there is no stable government and the other parties consider that the state army is also a conflicting party. Also even if there is a possibility of seeking the assistance of regional organizations, due to the nature of this conflict being a proxy war among the regional major powers, then it further hinders that option as well.

The airing of discussions about such armed conflicts within the United Nations forums, especially within the Security Council meetings creates an effect for the disputant parties to come into the negotiating table, as it receives international concern. This contemplates the higher leverage that the UN holds as an international organization, over a mediation mission of a state, regional organization, or a particular non-government mediator. It can be said that this worst humanitarian crisis in Yemen has much more attention in the world community, because of the higher UN engagement in the country through the Secretary- General's Special envoy mission. But in turn, this will be a challenging factor for the organization's mission itself, because then there will be a possibility where related proxy parties tend to put forward their interests over the operations of the mission.

Similarly, the interests of parties and the instruments that have been utilized by the UN mediation matters. It has a linkage with the identity of the conflict and as well as the organization, where the UN has a higher rate of involvement in intrastate conflicts which proved to be difficult to manage.³⁷² A conflict like Yemen is a prominent example where the main parties of it are supported by major regional powers and as well as indirectly they are supported by the western powers, where on the local ground there is a presence of other tribal, minority groups with differing ideologies. This causes

³⁷¹ UN, Security Council report, Yemen: Council to Renew Mandate of UN Mission to Support the Hodeidah Agreement, 2019 July, URL: <https://www.securitycouncilreport.org/whatsinblue/2019/07/yemen-council-to-renew-mandate-of-un-mission-to-support-the-hodeidah-agreement.php> [Accessed Date: 7 November 2020]

³⁷² Fretter, J., International organizations and conflict management: the United Nations and the mediation of international conflicts", in Bercovitch, J. (Ed.), Studies in International Mediation, Palgrave Macmillan, London, 2002, pp.103-104

constant changing dynamics in the conflict. Nevertheless, the efforts of mediation draw out when a particular international or internationalized conflict is dragging over a long period and when parties are in a stalemate position and about to promote conditions for dialogues to make sustainable peaceful conditions³⁷³. This basically might happen due to the difficulties in resource deployment as well.

Further, technical-wise, the structural constraint of the UN framework in its conflict mediation can be taken into consideration as another constraining factor for sustainable peace. UN organs such as the Security Council, Secretary-General, and the General Assembly have covered almost two-third of the conflicts where most of them are civil wars rather than interstate conflicts. It consists of a comprehensive mechanism that focuses on other related matters such as refugees, education, ensuring human rights, and good governance through holding proper elections in civil war areas. Although the United Nations has the authority to take actions in accordance with the conflict dynamics, it left the implementation of these actions to the relevant parties. However, together with these three organizations, the UN keeps repositioning its mechanisms as a whole in the conflict mediation process³⁷⁴ Moreover, Arbitrary intervention into a state domestic or external affairs is considered as a breach of sovereignty under the international law and abided with that certain unwritten norms are embedded in the UN charter preventing the states or parties in the organization's to be involved only as in the form of joint ventures with the UN in the mediation process.³⁷⁵

3.3 Comparing the United Nations and regional international organizations as mediators in armed conflicts.

Currently, with the upsurge of civil or intrastate conflicts within the international system, which are mostly centered on the regional basis and then which has eventually spread on to the global arena, the role played by the regional organization on conflict management is worth to be discussed by comparing it with the UN mechanism of mediation. In a circumstance where the negative outcomes of such conflicts leave a gap in situations, a global organization like the United Nations is bound to solve such issues due to the difference in capacity and reach that a regional or other international

³⁷³ Ibid

³⁷⁴ Wallenstein, P. The United Nations in conflict Resolution, Chapter 09, *Understanding conflict resolution: War, peace and the global system*, ed.03, Sage Publications Ltd., London. December 15, 2011 P.232

³⁷⁵ Fretter, J., International organizations and conflict management: the United Nations and the mediation of international conflicts", in Bercovitch, J. (Ed.), *Studies in International Mediation*, Palgrave Macmillan, London, 2002,P.108

organization possesses. The confined role of regional organizations in comparison to the United Nations is prescribed in Article 52 of the UN charter where it is basically geographically limited and subordinated to the supranational authority of the UN Security Council. The Security Council is vested with the power to supervise over their rights to be engaged in the regional dispute resolution. It is insisted that their structural framework and principles are the reason for the limited role they play in this regard rather than being adhering to the norms of the United Nations Charter.³⁷⁶

Abided by the changing nature of trends towards global conflict management, there are varying levels of commitments under the Conflict management mechanism which is available under regional and other international organizations' agendas. Usually, regional organizations present general resolutions or statements based on relative normative actions that states need to be undertaken on behalf of such a dispute. The representatives of regional organizations are playing an active role in this regard by making concessions and presenting alternative propositions and providing additional incentives such as political or economic aid making them guarantors on the conflict management process. Also, the initiation of joint rules, norms, and mechanisms with actions such as sanctions, peacekeeping measures, or other ground-level activities in the conflict-based areas can be taken into account.³⁷⁷

However, the action of enforcement by the regional organization where it partnered with an international organization in the form of carrying out missions under the global and regional distinctions is considered to be confusing.³⁷⁸ In the Yemen Conflict, the "National Dialogue Conference (NDC)" initiatives taken via the gulf cooperation council (GCC) and the impediments it faced in its implementation can be taken as a prominent example to elaborate this fact. Here, even though the UN mediation was there, this initiative was basically centered within this regional organization framework and on the hands of its member states. Although this basically includes bringing conflicting parties into the discussion table for negotiations, the legitimacy and the political pressure possessed by the organization over it are the core element in this prospect. Then it raised the issues about the compliance level of the parties to the conflict. It is because of the fact that the conflict is a proxy war and the consensus of the parties is difficult to reach due to the fact that the GCC is mainly considered to be biased for one party. Although the UN passed its resolutions based on the

³⁷⁶ Diehl P.F, *New Roles for Regional Organizations*, part V, *Leashing the Dogs of War: Conflict Management in a Divided World*, 2007, p.535

³⁷⁷ Ibid pp. 535-536

³⁷⁸ Ibid

National Dialogue Conference (NDC), some clauses mentioned therein have not been taken into consideration and have not been fully implemented through its mediation process.³⁷⁹ Here, even though the UN carried out discussions with limited women representation, it is criticized for not including those negotiated terms and inputs in the UN resolution or UN-mediated agreements.³⁸⁰

Nevertheless, sometimes regional organizations might have the unique advantages of having greater consensus and support from the conflicting parties since there is more control over the third party states which makes more space for conflict resolution process.³⁸¹ The characteristics such as the homogenous nature of membership lead to a greater consensus in comparison to UN; being not constrained as the UN, where the power of leading members is not an impediment factor in regional organizations in its decision making. But these identified factors have not been fulfilled due to the ruptures existing among the members. This fact is quite visible in the Gulf Cooperation Council where the member states have religious and ideological disruptions, although every member state belongs to a community with almost similar cultural and ethnic identity, as Arab Muslims. So, it is clear that the hostile relations between the members of the regional organizations are an impediment in the process of conflict resolution through regional organization.³⁸² This fact can further be seen in the failure of the Gulf Cooperation Council in its engagement in a full range mediation regarding the Yemen conflict, due to the more leverage that Saudi led coalition possesses within the organization. So, here, the conflicting parties expect the UN to be an impartial mediator referring to it as a global representation that is carrying out a balancing role.

Compared to the UN, a regional organization receives more support from the local groups or communities within the conflict.³⁸³ Similarly, a non-government organization or a particular individual from local groups might have much more reach and support from the local counterparts who are directly engaged in the conflict. Here, it can bring out the incidents where there was a

³⁷⁹ Bennett, C. Planning Ahead for a Post conflict Syria: Lessons from Iraq, Lebanon, and Yemen. Report. International Peace Institute, 2013. URL: <http://www.jstor.org/stable/resrep09598.7>. [Accessed Date: 7 May 2021] ,pp.10-11

³⁸⁰ ICG, Rethinking Peace in Yemen, Report , No:216 , Middle East & North Africa, International Crisis Group, 2 July 2020, URL: <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/216-rethinking-peace-yemen> [Accessed Date: 10 July 2020], p.30

³⁸¹ Diehl P.F, New Roles for Regional Organizations, part V, Leashing the Dogs of War: Conflict Management in a Divided World, 2007, p. 540

³⁸² Ibid

³⁸³ Ibid, P.541

drawback in the UN mediation process in Yemen in involving the local groups, civil society, and tribal group representation in discussions.³⁸⁴ Along with the UN's possession of higher leverage at the international stage, the structural constraints and the demands of main and the proxy parties to the conflict over these groups further constrained their involvement at the negotiation process.³⁸⁵ This is a challenging factor that the UN faces unlike the other international organizations or regional organizations, since this further questions the durability of UN peace agreements that is reached only among the major parties to the conflict.

Accordingly, instead of the temporary diplomatic and security involvement by the UN in such disputes, it can be argued that the regional organizations' efforts have much more chances of better conflict resolutions. Because if negotiations happen via the mediation of an international organization, the international community will not follow up to further diplomatic efforts to resolve the conflict on a comprehensive scale. Then it implies the fact that rather than a global organization like the UN, regional organizations or other international or non-governmental organizations might have much more capability to resolve the underlying conflict as they have more access to the ground level parties. In regional organization's mediation process, they are able to secure more support over the third parties involved in the conflict whereas such parties may not participate in UN forums, but only in regional forums.³⁸⁶

In contrast to that, regional organizations' actions are limited, unlike the UN. Because they do not have a proper mechanism to define the act of aggression and to take the necessary measures as same as it has been stipulated under the umbrella of the UN charter. Basically, most of the regional organizations (except the military alliances or regional security organizations) are formed with the goal of maintaining and enhancing the social, political, and economic cooperation between its member states rather than considering the breach of norms related to security by the member states.³⁸⁷ Here,

³⁸⁴ Daniel E, Trevor, J. Ashley L. R, Eric R, Building an Enduring Peace in Yemen: Lessons from Five Years of RAND Research, RAND cooperation, 2021 URL: https://www.rand.org/content/dam/rand/pubs/research_reports/RRA700/RRA733-1/RAND_RRA733-1.pdf [Accessed Date: 26 April 2021], p.20

³⁸⁵ Mancini, F., & Vericat, J. Lost in Transition: UN Mediation in Libya, Syria, and Yemen. International Peace Institute. 2016, pp. 5-13, URL: <http://www.jstor.org/stable/resrep09641.6> [Accessed Date: 10 January 2021], pp.12-13

³⁸⁶ Diehl P.F, New Roles for Regional Organizations, part V, Leashing the Dogs of War: Conflict Management in a Divided World, 2007, p. 542

³⁸⁷ Wallensteen, P. The United Nations in conflict Resolution, Chapter 09, *Understanding conflict resolution: War, peace and the global system*, ed.03, Sage Publications Ltd., London. December 15, 2011 p.234

the UN is advantageous in terms of the possession of higher leverage by being a global organization with a multitude of concessions to make an influence over the disputant parties.

Moreover, for a global organization like the UN, there is no geographical control over handling the external threats inflicted towards a conflict like a regional organization. With the prevailing political influence, resources, and moral conditions, the means of coercive measurements that can be exerted are limited in a regional organization. This is applicable in territorial conflicts based on intangible reasons such as ethnic, religious, and historical issues, like in Yemen. The presence of internal rivalries within the members of a regional organization highly affected its ability to play a significant role in the mediation process whereas most of the time, especially a conflict like Yemen is mostly wrapped around this regional rivalry situation. Added to that, the possession of resources that are tangible and intangible is a decisive factor in a circumstance where a global organization like the UN is comprised of adequate financial, political, and legal resources that are much higher in comparison to a regional organization. When relating it to the Yemen conflict, the GCC can be considered as an organization with financial resources as it is comprised of oil-rich countries. But, it does have the political and military resources to manage such conflicting situations. Also on the other hand these capacities will make an influence to the conflicting parties to turn the situation into the worst end, where this is clearly visible in the Yemen conflict. Hence, regional organizations are neither inferior nor superior in the conflict mediation process, rather it is dependable on certain factors in comparison to the UN capacities and efforts.³⁸⁸

Nevertheless, the mechanism in which the existing instruments of UN mediation can be executed in line with the regional organizations as follows: There is a shift in the form of the implication of good office in parallel to the nature of armed conflicts today. It can be seen the role of regional organizations has a huge impact on the increase in intra-regional conflicts or either to shift a local conflict into an internationalized one. So, the UN has to rely on the cooperation with the regional organizations as well in its mediation process, while identifying the reaching capacity of these organizations.³⁸⁹

³⁸⁸ Diehl P.F, *New Roles for Regional Organizations*, part V, *Leashing the Dogs of War: Conflict Management in a Divided World*, 2007p. 541

³⁸⁹ Coning.C.D and Peter.M, *United Nations Peace Operations in a Changing global order*, Palgrave Macmillan, 2019, DOI: [10.1007/978-3-319-99106-1](https://doi.org/10.1007/978-3-319-99106-1)

Conclusion

The United Nations system is made with the pillars of mechanisms to create the avenue to promote and to achieve sustainable peace. The Yemen conflict, which is in the form of a severe intrastate conflict that is dragging on for over a decade, is tremendously under the purview of the United Nations mediation consortium. It is quite evident through the consecutive UN Secretary General's special envoy mechanism and the instruments such as agreements and resolutions forwarded within the mediation process. Accordingly, this thesis analysed the effectiveness of UN mediation in armed conflicts in terms of challenges and constraints it faces, through the case of the Yemen conflict. Here, it tried to gain a comprehensive understanding of the appropriateness and applicability of third party mediation in armed conflict by the United Nations and other international organizations, which includes regional and intergovernmental organizations, in a circumstance where there is a surge in the multitude of mediating actors in the international arena.

Yemen is facing the world's largest humanitarian crisis. The prolonged and active nature of the intrastate conflict of Yemen is mainly abided by the absolute nature of positions of the parties amidst the UN active special envoy mediation mechanism. The inefficient chaotic political conditions on the ground and the prevalence of a weak economy are driving factors to entrench the conflict further to the worst level, in a circumstance where the roots of the conflict are existing over a long term along with its ideological differences and geopolitical issues. However, the UN is considered as a multiparty mediator instead of a unitary actor because of its mediation missions which carry out incorporation with its other regional, international or non-governmental organizations. In that sense, so far, the UN achieved agreements among the disputant parties with its five permanent members, and in joint cooperation with the European Union and the Gulf Cooperation Council. Most of the provisions of those agreements and the resolutions are basically carried out in parallel to the GCC initiatives and concerning the agreed provisions of the National Dialogue Conference. This is a showcase of the combined mediation of International organizations on the Yemeni ground.

The objective of International organizations' mediation is to reach bargaining in anarchic conditions. When the particular actor sees war as unprofitable and when they are at a stalemate position, they reach an international organization seeking mediation as it is a low-cost profitable approach. When disputants tend to seek other means of mediation apart from the United Nations, then the complexity grows more and more, which is quite visible in the Yemen conflict where there is direct influence by the regional players, like the Gulf Cooperation Council (GCC) and other western states and as well as

the domestic subgroups. The differences in resource commitment, the level of voluntarily and the agreed level of commitments by the member states are challenging and constraining factors that decide the effectiveness of UN mediation in a particular armed conflict.

Although mediation is considered as voluntary, low cost and a profitable approach in conflict resolution, the features of mediation itself consist of some inherent risk factors in related intrastate armed conflict like in Yemen. These include the vulnerability in commitment problems, dependence between the governing and governed actors, higher possibility of conferring legitimacy by the third party to a certain party or an actor, and the possibility of conducting inconsistent means of mediation that does not follow the local requirements. So, it needs to consider several conditions and implications when mediating in an armed conflict, which includes factors like awareness about legitimacy, level and the leverage (as carrots or sticks) of mediation to be used. Since mediation is a two-way mechanism that involves the opposing factions in a conflict, the deployment of resources compared to the other coercive means of conflict resolution is a decisive factor, in a circumstance where it is focused on giving legally binding solutions to the issues.

Nevertheless, the UN and other international organizations have varying levels of commitments amidst the changing nature of armed conflicts. Each organization has its own capacities, principles, norms, structures and procedures of armed conflict mediation which are particularly applicable to the legal and sovereignty status of a particular state. For instance, the UN procedural mediation structure is based on achieving short term peace by submerging the violence. Therefore, the definition and the nature of an armed conflict defined by those organizations and the decisions of mediation is dependent upon these aspects. However, it is noteworthy where UN is actively engaging in the Yemen conflict even though in the twenty-first century, the UN is rarely engaging in such high profile conflicts,³⁹⁰ whereby it insists that UN mediators would be reluctant to engage in complex conflicts which dragged over a long period of time.

UN has much more authority over other international organizations to influence global values, since it possesses unique attributes, such as legitimacy and credibility along with its resource pool and power, and the expected impartiality being the universal organization. The level of credibility and

³⁹⁰ Iji, T, The UN as an International Mediator: From the Post–Cold War Era to the Twenty-First Century, *Global Governance*, Vol. 23, No. 1, Brill, January.-March. 2017 URL: Date: <https://www.jstor.org/stable/44861109>, [Accessed Date: 22April2021], pp.83

legitimacy of the UN depends on the behaviour of its member states, especially major powers. This is clearly visible in the Yemen conflict as it is being a proxy war.

Then, being an international organization, the UN, through the use of its tools of mediation such as conducting efficient bargaining, ensuring the smooth of information flow to reveal the intentions of other parties or states and by achieving comprehensive agreements, tries its level best to halt the intensity of the conflict. Third-party mediation impacted by the humanitarian aspects and the perspectives of the particular organization towards the conflict. It follows the expected benefits by the particular conflicting party from the mediator to the conflict. Therefore, the relationship between the mediator and the disputant parties is a decisive factor. It follows the timing, environment and the strategies used by the mediator in its intervention into the armed conflict. The process of UN Secretary General's special envoy mediation is considered to have a distinct advantage in this scenario. Because that process is not affected by the timing of the mediation unlike the other mediating procedures conducted by the United Nations. However, the success of such a third party mediation is perceived in terms of the levels of uncertainty, leverage, misunderstanding, power persuasion among the mediator and that of the disputant parties.

Accordingly, the challenges and constraints faced by the United Nations in its mediation process in Yemen can be considered in two folds as challenges arising from the UN procedures, and then the impact of dynamics and the structure of the conflict. The UN has been following different paths from time to time in its armed conflict mediation. It is urged that their procedures need to be updated. The efficacy of the mediation strategies of the UN depends on the decisions taken by the Security Council and the ability of resource deployment amidst the changing political realities on the ground. Also, with the presence of a multitude of actors, the UN mediation further turned out to be decisive in terms of the inclusion of stakeholders in the discussion table.

Several special envoys have been appointed to the Yemen ground over this decade and some of them have willingly resigned due to the pressure they confront from the disputant parties while some others had to give up their missions due to unfavourable relations with the disputant parties on the ground. However, they are managed to a greater extent to bring the parties to the negotiation table. Mediation effectiveness can be measured through the timing, intensity of the conflict and the strategies used by the mediator. Mediation inherently takes much time and provides short-run solutions to a conflict due to the possession of limited incentives. It is proportional to the nature of the conflict and the ability of the mediator as well. This can be clearly see through the Yemen conflict. Reaching

agreements is a strength of the mediation process, unlike the unmediated ones. Hence, the UN has been capable of implementing the general agreements, although it is a challenge to implement comprehensive agreements related to the political transition on the ground.

The UN Secretary-General, António Guterres recently insists that the organization perceives mediation as an effective tool that can be used in preventing and managing armed conflicts since it adheres to human rights, equality and good governance which are the major components, where the public policies are structured. However, mediation depends upon the interests and instruments that the parties to the conflict and the particular mediator possesses and utilizes. It differs according to the particular organization involved in the mediation.

Bibliography

Secondary Sources:

Al-Dawsari, N, Peacebuilding In The Time Of War: Tribal Cease-Fire & De-Escalation Mechanisms In Yemen, The Middle East Institute, April 2021, URL: <https://www.mei.edu/sites/default/files/202104/Peacebuilding%20in%20the%20Time%20of%20War.pdf> [Accessed Date: 26 April 2021]

Al-Thawr, L.L Yemen's prisoners of war and detainees: Lessons learned from local mediation, Middle East Institute, March 17, 2021 URL: <https://www.mei.edu/publications/yemens-prisoners-war-and-detainees-lessons-learned-local-mediation> [Accessed Date: 5 May 2021]

Ashraf, S, Ending the War in Yemen: Q&A with Abdulghani al-Iryani, Global Observatory, International Peace Institute, March 10, 2020, URL: <https://theglobalobservatory.org/2020/03/ending-war-yemen-qa-abdulghani-al-iryani/> [Accessed date 6 May 2021]

Asseburg, M, Lacher, W and Transfeld, M, Mission Impossible? UN Mediation in Libya, Syria and Yemen, SWP Research Paper 8, German Institute for International and Security, 2018 October.

Barbosa, L and Kuster, R, The Coordination Between International and Regional Organizations (Third Party Actors) as an Effective Recourse for the International Conflict Resolution Through Mediation, Willamette Journal of International Law and Dispute Resolution, Vol. 26, No. 1/2 2019, <https://www.jstor.org/stable/10.2307/26915366>, Accessed Date: 16 April 2021] pp. 138-172.

BBC, Yemen Crisis: Why is there a war? URL: <https://www.bbc.com/news/world-middle-east-29319423/> [Date access: 18 June 2020]

BBC, Yemen: Western powers may be held responsible for war crimes – UN, 2019 September 04, URL: <https://www.bbc.com/news/world-middle-east-49563073> [Date access: 18 May 2021]

Beardsley, K. The Mediation Dilemma: Mediation Dilemma, Cornell University Press, ProQuest Ebook Central, 2011, URL: <http://ebookcentral.proquest.com/lib/ed/detail.action?docID=3138270>, [Accessed Date: 25 March 2021] 256p.

Beardsley, K and Lo, N, Democratic Communities and Third-Party Conflict Management, Conflict Management and Peace Science, Vol. 30, No. 1, Sage Publications, Ltd., February 2013, URL: <https://www.jstor.org/stable/26275276>, [Accessed Date: 28 March 2021] pp. 76-93

Beardsley, K, Quinn D M, Biswas, B and Wilkenfeld, J, Mediation Style and Crisis Outcomes, The Journal of Conflict Resolution, Vol. 50, No. 1 Sage Publications, Inc. February 2006, URL: <https://www.jstor.org/stable/27638475>, [Accessed Date: 20 April 2021] pp. 58-86,

Beardsley. K, Cunningham D.E, and White P.B, Mediation, Peacekeeping, and the Severity of Civil War, *Journal of Conflict Resolution*, Vol. 63(7), 2019, DOI:10.1177/0022002718817092, pp.1682-1709

Beardsley.K and Lo.N, Third-Party Conflict Management and the Willingness to Make Concessions, *Journal of Conflict Resolution*, Vol. 58(2) 2014, DOI:10.1177/0022002712467932, pp. 363-392.

Beber, B, , International Mediation, Selection Effects, and the Question of Bias, *Conflict Management and Peace Science* , September 2012, Vol. 29, No. 4, , Sage Publications, Ltd. 2012 September URL: <https://www.jstor.org/stable/26275350>, [Accessed Date: 25 April 2021] pp. 397-424.

Benedikt A, Susło R, Paplicki M, Drobnik J. Mediation as an alternative method of conflict resolution: A practical approach. *Family Medicine & Primary Care Review*. 22 (3) 2020, DOI:10.5114/fmpcr.2020.98252.pp. 235-239.

Bennett, C. Planning Ahead for a Post conflict Syria: Lessons from Iraq, Lebanon, and Yemen. Report. International Peace Institute, 2013.URL: <http://www.jstor.org/stable/resrep09598.7>. [Accessed Date: 7 May 2021]

Bercovitch, J and Houston, A Why Do They Do It like This? An Analysis of the Factors Influencing Mediation Behavior in International Conflicts, *The Journal of Conflict Resolution* , Vol. 44, No. 2, Sage Publications, Inc. April, 2000, URL:<https://www.jstor.org/stable/174662>, [Accessed Date 27April 2021] pp. 170-202.

Bercovitch, J, International Mediation, *Journal of Peace Research*, Special Issue on International Mediation, Vol. 28, No. 1, Sage Publications, Ltd , Feb., 1991, URL: <https://www.jstor.org/stable/424189>, [Accessed Date:27 April 2021] pp. 3-6

Bercovitch. J, Theory and practice of international Mediation: selected Essays, ed.01, Taylor & Francis 2011, URL: <https://doi.org/10.4324/9780203831120> [Accessed Date: 25 February 2021] 304p.

Bercovitch.J and Derouen.K J.R, , Mediation in Internationalized Ethnic Conflicts: Assessing the Determinants of a Successful Process, *Armed Forces & Society, Journal of Peace research* Vol. 30, No. 2, 2004, DOI: 10.1177/0095327X0403000202, pp. 147-170.

Bercovitch.J, Third Parties in Conflict Management: The Structure and Conditions of Effective Mediation in International Relations, *International Journal* , Vol. 40, No. 4, Managing Conflict, Sage Publications, Ltd. on behalf of the Canadian International Council, Autumn, 1985 URL: <https://www.jstor.org/stable/40202320>, [Accessed Date: 27 April 2021], pp. 736-752

Bercovitch.J, Managing Internationalized Ethnic Conflict: Evaluating The Role And Relevance Of Mediation, *World Affairs* , Summer 2003, Vol. 166, No. 1 Summer 2003, Sage Publications, Inc, URL:<https://www.jstor.org/stable/20672677>, [Accessed Date: 25 February 2021] pp. 56-68

Böhmelt.T , Disaggregating Mediations: The Impact Of Multiparty Mediation, British Journal Of Political Science, Vol. 41, No. 4, , Cambridge University Press, October 2011 URL: <https://Www.Jstor.Org/Stable/41241845>, [Accessed Date: 14 April 2021] pp. 859-881

Coning.C.D and Peter.M, United Nations Peace Operations in a Changing global order, Palgrave Macmillan, 2019, DOI: [10.1007/978-3-319-99106-1](https://doi.org/10.1007/978-3-319-99106-1), --XXV, 334 p.

Daniel E, Trevor,J. Ashley L. R, Eric R, Building an Enduring Peace in Yemen: Lessons from Five Years of RAND Research, RAND cooperation, 2021 URL: https://www.rand.org/content/dam/rand/pubs/research_reports/RRA700/RRA733-1/RAND_RRA733-1.pdf [Accessed Date: 26 April 2021]

Davis .I and Iijn, J.V.D, Global developments in armed conflict, peace processes and peace operations. 2020, URL: https://www.researchgate.net/publication/350107183_Global_developments_in_armed_conflict_pea ce_processes_and_peace_operations [Accessed Date: 04 May 2021]. pp. 27-62,

Diehl P.F, New Roles for Regional Organizations, part V, Leashing the Dogs of War: Conflict Management in a Divided World, 2007, pp.535-553

Edgar A D. International Organization and Ending Conflicts Conflict Studies, Organization,Oxford Research Encyclopedia of International studies, March 2010 DOI: 10.1093/acrefore/9780190846626.013.233,

Edwards, M.S. and. DiCicco, J.M International Organizations and Preventing War, Oxford Research Encyclopedia of International Studies, 2018, URL: <https://doi.org/10.1093/acrefore/9780190846626.013.407> [Accessed Date: 18 February 2021]

Franck T.M. The Secretary-General's Role in Conflict Resolution: Past, Present and Pure Conjecture, *European Journal of International Law*, Issue 06, 1995, pp. 360-387

Fretter, J., International organizations and conflict management: the United Nations and the mediation of international conflicts", in Bercovitch, J. (Ed.), *Studies in International Mediation*, Palgrave Macmillan, London, 2002, pp. 98-126.

Grainger, S, G20 arms exports to Saudi Arabia worth three times aid to Yemen since 2015 – Oxfam, 2020 November, URL: <https://reliefweb.int/report/yemen/g20-arms-exports-saudi-arabia-worth-three-times-aid-yemen-2015-oxfam> [Accessed Date: 05 May 2021]

Guidero. A, Hallward M.C, Global Responses to Conflict and Crisis in Syria and Yemen, Palgrave Pivot, 2019, DOI:[10.1007/978-3-030-02789-6](https://doi.org/10.1007/978-3-030-02789-6) - XIII, 118 p.

Hellmüller, S, Mediation, The Palgrave Encyclopedia of Peace and Conflict Studies, Centre on Conflict, Development and Peacebuilding, Graduate Institute of International and Development Studies, Geneva, Switzerland, 2020, DOI: 10.1007/978-3-030-11795-5_135-1,

ICG, Rethinking Peace in Yemen, Report , No:216 , Middle East & North Africa, International Crisis Group, 2 July 2020,URL: <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/216-rethinking-peace-yemen>[Accessed Date: 10 July 2020]

ICG, Saving the Stockholm Agreement and Averting a Regional Conflagration in Yemen. Report 203, Middle East & North Africa, International Crisis Group, 18 July 2019, URL: <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/203-saving-stockholm-agreement-and-averting-regional-conflagration-yemen> [Accessed Date: 08 July 2021]

ICG, Seven Opportunities for the UN in 2019-2020, Special Briefing Report No: 02, Global, International Crisis Group, 12 September 2019, URL: <https://www.crisisgroup.org/global/002-seven-opportunities-un-2019-2020> [Accessed Date: 20 July 2020]

ICG, The Case for More Inclusive – and More Effective – Peacemaking in Yemen, Report No.221 Middle East & North Africa, International Crisis Group, 2021 March, URL:<https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/yemen/221-case-more-inclusive-and-more-effective-peacemaking-yemen>,[Accessed Date: 6 May 2021]

Iji, T, The UN as an International Mediator: From the Post–Cold War Era to the Twenty-First Century, Global Governance, Vol. 23, No. 1, Brill, January.-March. 2017 URL: Date: <https://www.jstor.org/stable/44861109>, [Accessed Date: 22April2021] pp. 83-100

Jalal.I, , Yemen’s Joint Declaration: A bigger repeat of the stalled Hodeida Agreement?,Middle East Institute, March 4, 2021, URL: <https://www.mei.edu/publications/yemens-joint-declaration-bigger-repeat-stalled-hodeida-agreement/>[Accessed Date: 06 May 2021]

Jesenský.M, The United Nations under Ban Ki-moon: Give Diplomacy a Chance, [ed.1], Palgrave Macmillan, 2019, DOI: [10.1007/978-3-030-12220-1-XIV](https://doi.org/10.1007/978-3-030-12220-1-XIV), 316 p.

King, S. Yemen. *The Arab Winter: Democratic Consolidation, Civil War, and Radical Islamists*. Cambridge: Cambridge University Press. (2020). Doi:10.1017/9781108769792.005, pp. 211-248

Lackner. H, Day S. W, Brehony .N, 2020, Global, Regional, and Local Dynamics in the Yemen Crisis, Palgrave Macmillan,2020. DOI: 10.1007/978-3-030-35578-4, XXXI, 321 p.

Lackner.H, Why can’t the United Nations bring peace to Yemen? 6 January 2018, URL:<https://www.opendemocracy.net/en/north-africa-west-asia/why-can-t-united-nations-bring-peace-to-yemen/> [Accessed Date: 10 July 2020]

Laipson.E, U.N. Peacemakers Wind up tough year with a flurry of Progress, *World Politics Review* (Selective Content), 22 December 2015, p1-1. 1p

Lehti,M, The Era of Private Peacemakers :A New Dialogic Approach to Mediation, Rethinking Peace and Conflict Studies, Palgrave Macmillan,2019,DOI: 10.1007/978-3-319-91201-1 _ XV, 263p.

- Mancini, F., & Vericat, J. Lost in Transition: UN Mediation in Libya, Syria, and Yemen. International Peace Institute. 2016, pp. 5-13, URL: <http://www.jstor.org/stable/resrep09641.6> [Accessed Date: 10 January 2021]
- Mingst K and Karns M, & Lyon, A. The United Nations and Conflict Management: Relevant or Irrelevant?, Chapter 28, *The United Nations in the 21st century*. (5th ed.). Routledge. 2017, <https://doi.org/10.4324/9780429494307/> [Accessed Date: 10 July 2020], pp. 497-518
- Murthy, C.S.R, United Nations and the Arab Spring: Role in Libya, Syria, and Yemen, *Contemporary Review of the Middle East* 5(2), 2018, DOI: 10.1177/2347798918762198, pp. 116–136
- Naji.M, and Jalal.I, , Building peace by restricting arms in Yemen,Middle East institute, January 25, 2021, URL:<https://www.mei.edu/publications/building-peace-restricting-arms-yemen> [Accessed Date: 06 May 2021]
- Owsiak A.P and Frazier D.V, The Conflict Management Efforts of Allies in Interstate Disputes, *Foreign Policy Analysis* , July 2014, Vol. 10, No. 3,Oxford University Press, 2014 July URL: <https://www.jstor.org/stable/24910831>, [Accessed Date: 15 February 2021], pp. 243-264.
- Owsiak A.P, Conflict Management Trajectories in Militarized Interstate Disputes: A Conceptual Framework and Theoretical Foundations, *International Studies Review*-16(1), 2014, URL: <https://academic.oup.com/isr/article/16/1/50/1790407> [Accessed Date: 10 February 2021], pp.50–78
- Palik.J, Rustad S.A, Mediation in the Yemeni Civil War: Actors, outcomes, and lessons learned, *Conflict Trends* 05, Peace Research Institute Oslo (PRIO), May 2019, URL: <https://mideast.prio.org/utility/DownloadFile.ashx?id=2&type=publicationfile> [Accessed Date: 29 April 2021]
- Ratner,S.R, Image and Reality in the UN's Peaceful Settlement of Disputes, *European Journal of International Law*, Volume 6, Issue 3, 1995, URL:<https://academic.oup.com/ejil/article/6/3/426/359111>, [Accessed Date: 29 October 2020],pp.426-444
- Reid, L, Finding a Peace that Lasts: Mediator Leverage and the Durable Resolution of Civil Wars, *The Journal of Conflict Resolution*, Vol. 61, No. 7, Sage Publications, Inc. 2017 August URL:<https://www.jstor.org/stable/26363934>, [Accessed Date: 15 April 2021] pp. 1401-1431
- Richmond.O, Devious Objectives and the Disputants' View of International Mediation: A Theoretical Framework, *Journal of Peace Research*, Vol. 35, No. 6 ,November 1998 URL: <https://www.jstor.org/stable/425412>, [Date Accessed: 20April 2021]pp. 707-722.
- Salisbury.P, Yemen’s Southern Powder Keg, Middle East and North Africa Programme, Chatham House, The Royal institute of International Affairs, Research paper, 27 March 2018,URL:

<https://www.chathamhouse.org/sites/default/files/publications/research/2018-03-27-yemen-southern-powder-keg-salisbury-final.pdf> [Accessed Date: 12 March 2021] 34 p.

Sändig,J, Granzow.T, Aligning with the UN: Nonviolent Self-Determination Movements in the Global South, *Journal of Global Security Studies*, Volume 3, Issue 3, July 2018, URL: <https://doi.org/10.1093/jogss/ogy019>, [Accessed Date: 12 April 2021] pp. 322–338

Seche S.A , U.N. Mediation Effort in Yemen at a Crossroads, Arab Gulf States Institute in Washington. 19 April 2019, URL: <https://agsiw.org/u-n-mediation-effort-in-yemen-at-a-crossroads/> [Accessed Date: 29 April 2021]

SIPRI yearbook- 2020, Armed conflict and peace processes in the Middle East and North Africa,Stockholm International Peace Research Institute, 2020 URL: <https://sipri.org/yearbook/2020/06> [Accessed Date: 24 April 2021]

SIPRI, Shifting the paradigm,: Power and responsibility, Stockholm International Peace Research Institute, 2021 April URL: <https://sipri.org/commentary/blog/2021/shifting-paradigm-power-and-responsibility> [Accessed Date: 09 May 2021]

Sowers.J, Weinthal.E, Humanitarian challenges and the targeting of civilian infrastructure in the Yemen war, *International Affairs*, Vol. 97, Issue 1, January 2021, URL: <https://doi.org/10.1093/ia/iaa166> [Accessed Date: 8 May 2021], pp.157–177

Spies Y.K, Third-Party Diplomacy, Chapter 4,*The Diplomacy of Peace and Intercession, Global South Perspectives on Diplomacy*, Palgrave Macmillan, 2019 DOI: 10.1007/978-3-030-00530-6 pp.109-152

Terris L.G and Maoz.Z, , Rational Mediation: A Theory and a Test,Journal of Peace Research, Vol. 42, No. 5, , Sage Publications, Ltd., September 2005 URL: <https://www.jstor.org/stable/30042369>,[Accessed Date; 20 April 2021] pp. 563-583

Wall, J A Jr., Stark, J B and Standifer, R L Mediation: A Current Review and Theory Development, The Journal of Conflict Resolution , Vol. 45, No. 3, Sage Publications, Inc. June, 2001, <https://www.jstor.org/stable/3176150> p.377 [Accessed Date:17 April 2021]_pp. 370-391

Wallensteen, P and Svensson, I, Talking peace: International mediation in armed conflicts, Journal of Peace Research, Vol. 51(2), 2014, DOI: 10.1177/0022343313512223, pp. 315-327

Wallensteen, P. The United Nations in conflict Resolution, Chapter 09, *Understanding conflict resolution: War, peace and the global system*, ed.03, Sage Publications Ltd., London. December 15, 2011 pp.231-261

White P.B, Cunningham D.E, Beardsley K, Where, when, and how does the UN work to prevent civil war in self-determination disputes?. Journal of Peace Research. 2018, Vol. 55(3). DOI: 10.1177/0022343317744826, pp.380-394

Wiegand, K, Rowland, E and Keels, E Third-party knowledge and success in civil war mediation, The British Journal of Politics and International Relations 2021, Vol. 23(1), DOI:10.1177/1369148120930674 pp. 3–21

Wilkenfeld, J, Young, K, Asal, V and Quinn, D, Mediating International Crises: Cross-National and Experimental Perspectives, The Journal of Conflict Resolution, June 2003, Vol. 47, No. 3, Sage Publications, Inc. DOI:10.1177/0022002703252365, pp. 279-301

Zyck S.A, Mediating Transition in Yemen: Achievements and Lessons, International Peace Institute (IPI), 2014 October, URL: <https://www.ipinst.org/wpcontent/uploads/publications/ipiepubmediatingtransition.pdf>, [Accessed Date: 05 February 2021], 20 p.

Primary Sources:

European Commission, Supporting people through Crisis (SPAN): Case study –Yemen, European Commission, International Cooperation and Development, Brussels, 2018

OSESGY, Newsletter Issue #1, 2020 July- September URL: <https://sway.office.com/HF1tQbsqVfIoEVCC?ref=email> [Accessed Date: 09 May 2021]

OSESGY, Stockholm Agreement, 2018 December, URL: <https://osesgy.unmissions.org/full-text-stockholm-agreement> [Accessed Date: 16 October 2020]

UN charter, Chapter VI, Article 33, URL : <https://www.un.org/en/sections/un-charter/un-charter-full-text/> [Accessed Date: 28 July 2020]

UN, United Nations Activities in Support of Mediation-Report of Secretary General, A/72/115, Mediation Support Unit, Department of Political Affairs, United Nations. 2017 June

UN, United Nations Guidance for Effective Mediation, United Nations, New York. September 2012

UN, Martin Griffiths Interviewed By Melissa Fleming, S3-Episode 13: All You Have to do is Your Best, United Nations, 2020 November, URL: <https://www.un.org/en/awake-at-night/S3-E13-all-you-have-to-do-is-your-best> [Accessed Date: 09 May 2021]

UNSC, Letter dated 26 January 2018 from the Panel of Experts on Yemen mandated by Security Council resolution 2342 (2017) addressed to the President of the Security Council, S/2018/68, United Nations Security Council, United Nations, 2018 January, URL: <https://www.securitycouncilreport.org/undocuments/document/s201868.php>, [Accessed Date: 26 November 2020]

UN, Security Council report, Yemen: Council to Renew Mandate of UN Mission to Support the Hodeidah Agreement, 2019 July, URL: <https://www.securitycouncilreport.org/whatsinblue/2019/07/yemen-council-to-renew-mandate-of-un-mission-to-support-the-hodeidah-agreement.php> [Accessed Date: 7 November 2020]

UNSC,2011, Resolution 2014 (2011) Adopted by the Security Council at its 6634th meeting, on 21 October 2011, S/RES/2014 (2011)

UN Security Council, Resolution 2140 (2014), United Nations Security Council, S/RES/2140 (2014), 26 February 2014, 26 February 2014, S/RES/2140 (2014),URL:<http://unscr.com/en/resolutions/2140> [Accessed Date: 06 May 2021]

UN Security Council, Resolution 2216 (2015), United Nations Security Council, 14 April 2015, S/RES/2216,United Nations Security Council, 2015,URL: <http://unscr.com/en/resolutions/2216> [Accessed Date: 26 January 2021]

UN, Yemen's warring parties agree to free more than 1,000 prisoners, UN news, 2020 September URL: <https://news.un.org/en/story/2020/09/1073972>[Accessed Date: 06 May 2021]

World Bank, The Republic of Yemen Unlocking the Potential for Economic Growth A Country Economic Memorandum, Report No. 102151-YE, Middle East and North Africa Region, Macroeconomics and Fiscal Management Global Practice, World Bank, 2015 October